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TO THE
MYSORE GAZETTE
FROM JULY TO DECEMBER 1934.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. D. 2977—L. M. 14-33-3, dated 20th December 1933.

In exercise of the powers vested in them under Section 66 of the Mysore Co-operative Regulation, 1918, as amended from time to time, the Government of His Highness the Maharaja of Mysore, are pleased to direct that the following amendments be made to the Rules relating to Land Mortgage Banks and Local Land Mortgage Societies published with Notification Nos. G. 5929—L. M. 4-29-49, dated 11th November 1929 and G. 13306—L. M. 4-29-7, dated 12th May 1930 :—

1. Delete the whole of Rule I and renumber II and III as I and II.
2. In the existing Rule III the word 'Primary' shall be substituted for 'Local' and the word 'Central' shall be added before the words "Co-operative Land-Mortgage Bank."

By Order,
S. ABDUL WAJID,
Secretary to Government,
Development Department.

No. L. 4266—Ml. 113-33-6, dated, Bangalore, 19th—21st December 1933.

In exercise of the powers vested under Section 106 (2) (*c*) of the Mysore Minor Municipalities Regulation, 1933, and other powers in this behalf, the following rules are made by the Government for regulating the conduct of business and proceedings at meetings of Municipal Councils in minor municipalities in the State :—

Conduct of business.

1. Every meeting of a Municipal Council shall, except for reasons to be specified in the notice convening the meeting, be held in the building used as a Municipal Office by such Municipal Council.

2. Seven clear days' notice of an ordinary general meeting, and three clear days' notice or in cases of great urgency, notice of such shorter period as is reasonable of a special general meeting, specifying the time and place at which such meeting is to be held and the business to be transacted thereat, shall be given to the Councillors, and posted up at the Municipal Office. The said notice shall include any motion or proposition of which a Councillor shall have given written notice, not less than ten days previous to the meeting, of his intention to bring forward thereat, and, in the case of a special general meeting, any motion or proposition mentioned in any written request made for such meeting.

Provided that motion on or proposition of which a councillor or councillors shall have given notice shall relate to matters connected with the Municipal administration and shall not be inconsistent with the provisions of the Regulation.

3. Every meeting shall be open to the public unless the presiding authority deems any inquiry or deliberation pending before the Municipal Council to be such as should be held in private.

Provided that the said authority may, at any time, cause any person to be removed who interrupts the proceedings.

4. Except with the permission of the presiding authority, which permission shall not be given in the case of a motion or proposition to modify or cancel any

resolution within three months after the passing thereof, no business shall be transacted and no proposition shall be discussed at any general meeting unless it has been mentioned in the notice convening such meeting, or, in the case of a special general meeting, in the written request for such meeting.

5. Any general meeting may, with the consent of a majority of the councillors present, be adjourned from time to time to a later hour on the same day or to any other day; but no business shall be transacted at any adjourned meeting other than that left undisposed of at the meeting from which the adjournment took place.

A notice of such adjournment posted in the Municipal Office shall be deemed sufficient notice of the adjourned meeting.

6. No resolution of a Municipal Council shall be modified or cancelled within three months after the passing thereof, except by a resolution passed by not less than one-half of the whole number of Councillors at a general meeting, whereof notice shall have been given, fulfilling the requirements of rule 4 and setting forth fully the resolution which it is proposed to modify or cancel at such meeting, and the motion or proposition for the modification or cancellation of such resolution.

7. If at the hour fixed for the meeting a quorum be not present, the presiding authority shall allow 30 minutes to elapse before he adjourns the meeting and if 30 minutes from the hour fixed for the meeting elapse without the assembling of a quorum, the meeting shall stand adjourned to that day next week at the same time and place. If, after the commencement of business the presiding authority notices that a quorum is not present or any councillor calls the attention of the presiding authority to the fact that a quorum is not present, the presiding authority shall immediately suspend business, and shall count the number of councillors present, and if that number be insufficient to form a quorum, the presiding authority shall adjourn the meeting.

8. The business at the meetings of a Municipal Council shall ordinarily be conducted in Kannada and the minutes of the proceedings kept under Sub-Section (8) of Section 18 of the Regulation shall, at all reasonable times, be open to inspection by any inhabitant of the Municipality.

Procedure at meetings.

9. After the presiding authority has taken his seat, the minutes of the last previous meeting shall be read and after confirmation, shall be signed by the presiding authority; provided that, when they have already been circulated to the Councillors present in municipal limits and no objection has been taken to them, they may be taken as read. If any councillor present objects to the minutes as having been incorrectly or incompletely recorded, the presiding authority shall after taking the sense of the meeting, make such amendments in the minutes as he thinks proper, and the amended minutes shall then be confirmed and signed by the presiding authority.

10. A councillor wishing to speak shall rise in his place. The councillor who first rises to speak has the right to be heard. In cases of doubt, the presiding authority shall decide who is entitled to speak. No interruption to the speech of a councillor shall be permitted, except that the presiding authority may call the councillor to order and any other councillor may rise and request the presiding authority to call the speaker to order or to notice that a quorum is not present.

11. All questions from one councillor to another relating to the business of the meeting shall be put through the presiding authority.

12. The order in which any business that may be transacted or any proposition that may be discussed at any meeting shall be brought forward at such meeting, shall be determined by the presiding authority, who in case it is proposed by any councillor to give priority to any particular item of such business, or to any particular proposition, shall put the proposal to the meeting and be guided by the majority of votes given for or against the proposal.

13. The presiding authority shall have the power to divide into two or more distinct propositions any proposition or amendment which, in his opinion, is so complicated as to be likely to lead to confusion or inconvenience by being debated on as one proposition.

14. Each councillor rising to speak shall direct his speech to the question before the meeting or an amendment which he is himself about to propose or to a point

of order always addressing the presiding authority from his place. A councillor having spoken to a proposition or amendment is not at liberty to speak again to such proposition or amendment.

Provided that the mover of a proposition or amendment shall have a right of reply, after the presiding authority has ascertained that no other councillor entitled to speak, desires to speak.

Provided also that any councillor may second a proposition or amendment saying, "I second the proposition" or "amendment" and may reserve his right to speak later.

Provided also, that a councillor who wishes to explain any misconception of expressions used by him may do so with the permission of the presiding authority.

15. (1) Routine resolutions, such as recording periodical statements or confirming the proceedings of a Committee, may be put to the meeting by the presiding authority without their having been moved or seconded. Propositions regarding the choice of a presiding councillor, adjournments and the like must be seconded, but need not be in writing.

(2) Except as provided above in sub-rule (1) of this rule, every proposition and every amendment must be seconded.

(3) When a resolution of a Committee is submitted to the Municipal Council at a general meeting for adoption, should ordinarily be moved and seconded by a councillor who is a member of the Committee.

16. After the proposition has been moved and seconded, any councillor may propose an amendment thereto.

17. The proposer of any amendment shall state it or hand it in writing to the presiding authority at any time before he assumes his seat. When the mover of a proposition or amendment has resumed his seat, the presiding authority shall read the proposition or amendment to the meeting and ask if any councillor seconds it, and until the proposition or amendment is seconded, the presiding authority shall not permit any discussion on the question. If no councillor seconds the proposition or amendment, the presiding authority shall declare that the proposition or amendment is lost.

18. If a councillor has given due notice to move a proposition and if that councillor be not present at the

meeting or shall have ceased to be a councillor before the meeting or be unwilling to move the proposition of which he has given notice, any councillor present at the meeting may, with the consent of the presiding authority, move the proposition of which notice has been given.

19. An amendment shall usually be in the form of a proposal to omit words from the original proposition, to insert words therein, or to add words thereto. Every amendment must be relevant to the proposition it is proposed to amend and must be framed so as to form therewith an intelligible and consistent sentence. An amendment which is the direct negative of the proposition shall not be allowed.

20. After a proposition has been proposed and seconded the proposed amendments which the presiding authority has received shall be arranged in the order in which, if agreed to, each would stand in the amended proposition, and if any more proposed amendments are stated or handed to the presiding authority, they shall be inserted in that order and the presiding authority shall call upon the proposers of amendments in that order to move their amendments.

21. Each amendment must be decided before the next amendment is entered upon, but after any amendment has been proposed and seconded, any councillor may move that the amendment be amended by the omission, insertion or addition of certain words, and the presiding authority shall thereupon ask if any other councillor seconds the proposal and if seconded, the proposal to amend the amendment shall then become the question before the meeting.

22. No amendment may be made to words, which, it has already been resolved, shall stand part of, or be added to, the original proposition or amendment except by addition of other words.

23. No amendment may be proposed which is the same in substance as a proposition or amendment which has been negatived during that meeting.

24. When a question is put to the vote, the presiding authority shall call for a show of hands and the presiding authority or a councillor at his request, shall count the hands shown for and against and declare the result. If any councillor challenges the correctness of the number thus declared, the hands shall be counted a second time.

25. When there is an equality of votes and the presiding authority refrains from giving his casting vote, the proposition shall be held to be neither passed nor rejected and may be brought forward at any subsequent meeting.

26. When a budget or reappropriation statement is laid before a general meeting of a municipal council, the following procedure shall be adopted :—

(1) The presiding authority shall read each item of the abstracts or receipts and expenditure and shall without any mover or seconder, put to the meeting the question "that this item stands part of the budget or reappropriation statement."

(2) If any councillor proposes to reduce or increase or strike off the item and the proposal be seconded, such proposal shall be treated as an amendment and shall become the question before the meeting.

27. A proposal to adjourn a meeting or to postpone the consideration of a question shall take precedence of any other proposition before the meeting.

By Order,
H. V. RAMASVAMI,
Secretary to Government,
General Department.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. L. 4942—Ml. 180-33-1, dated Bangalore, the 4th January 1934.

The following draft rules regulating the expenditure from out of the funds of City Municipal Councils which the Government of Mysore propose to make under Section 206 (2) of the Mysore City Municipalities Regulation, 1933, in supersession of the existing rules on the subject are published under sub-section (4) of section 228 of the Regulation for the information of persons likely to be affected thereby and notice is hereby given that the draft rules will be taken into consideration on or after 1st February 1934. Any objections or suggestions which may be received from any person with respect to the proposed rules before the aforesaid date will be taken into consideration :—

1. No appointment, either permanent or temporary, shall be created or abolished or the pay of any such appointment altered without the previous sanction of Government except in cases falling within the next following rule.

2. The Municipal Council shall be competent without reference to Government to incur expenditure not exceeding Rs. 600 a year for the employment of temporary establishments on pay not exceeding Rs. 50 each a month and for a period not exceeding six months at a time.

3. The Municipal Council shall be competent without reference to Government to supply clothing to its employees in accordance with the general rules sanctioned by Government with regard to supply of clothing to Government servants.

4. The Municipal Council shall be competent to authorise the admission in audit of expenditure incurred but in support of which vouchers are not produced, when the expenditure involved does not exceed Rs. 50 in each case, provided the Municipal Council is satisfied that the expenditure was incurred for *bona fide* Municipal purposes.

5. Expenditure for the following purposes shall not be incurred without the previous sanction of Government :—

(*a*) Charges for printing in private presses when the amount involved exceeds Rs. 200 in each case.

(*b*) Purchase of furniture exceeding Rs. 200 at a time.

(*c*) Law charges exceeding Rs. 200 in each case.

(*d*) Purchase of articles of European manufacture costing more than Rs. 200 in each case.

(*e*) Payment of rent for occupation of buildings for Municipal purposes when the charge exceeds Rs. 50 a month.

(*f*) Lumpsum grants exceeding Rs. 250 a year in each case and recurring grants exceeding Rs. 50 a month to Reading Rooms, Libraries, Educational and Medical Institutions, subject to such rules as may be made by the Government in this behalf.

(*g*) Lumpsum contributions exceeding Rs. 250 towards Conferences and grants exceeding Rs. 100 annually in each case to movements whose objects include Medical and Veterinary relief, Education including Scouting, Improvement of Sanitation and Public Health, Safety and Convenience, subject to such rules as may be made by the Government in this behalf.

(*h*) Other contingent charges such as payment of rewards for detection of smuggled goods and purchase of

stationery when the charge exceeds Rs. 50 a month or Rs. 600 a year.

(*i*) Expenditure for journey performed outside the limits of the Municipality by the Municipal employees within the State in the interests of the Municipality when the charge exceeds Rs. 100 in each case.

(*j*) Expenditure for alleviating distress caused by accidental fires when the charge exceeds Rs. 100 in each case.

(*k*) Expenditure in connection with the prevention and suppression of epidemics when the cost exceeds Rs. 250 in each case.

6. The Municipal Council may delegate, by resolution recorded in this behalf, all or any of its powers under the foregoing rules except under Rule 4, to the Managing Committee or to the Municipal Commissioner in Bangalore City and the President in Mysore City, subject to such restrictions and conditions as it may prescribe from time to time.

By Order,

R. RANGA RAO,

Chief Secretary to Government.

No. L. 5003—*Am. T.* 22-33-1, *dated Bangalore, the 6th January* 1934.

In exercise of the powers vested in Government under Section 12 (*g*) of the Mysore Amusements Tax Regulation, 1932, the following rules are issued for regulating the presentation and disposal of applications for exemptions from payment of entertainments tax under Section 8 of the said Regulation :—

(1) Applications for exemption from liability to the entertainments tax shall be made to the Deputy Commissioner of the District within which the entertainment is to be held.

(2) Such application shall be duly stamped and presented to the Deputy Commissioner at least ten clear days before the date fixed for the entertainment.

(3) The application shall contain the ground or grounds under which the exemption is claimed.

(4) The Deputy Commissioner may, on receipt of such application, make such enquiry as, in his opinion, is necessary and shall then dispose of the application himself in accordance with law or such other instructions as Government may issue in this behalf, unless the exemption asked for is in respect of a class of entertainments, in which case the Deputy Commissioner shall forward the application together with his opinion for orders of Government.

(5) Whenever the Deputy Commissioner has disposed of the application himself, he shall inform the applicant the substance of the order passed.

(6) Any person aggrieved by the order of the Deputy Commissioner may appeal to Government within seven days from the date of the order of the Deputy Commissioner. The order passed by Government on such appeal shall be final.

No. L. 5016—Am. T. 22-33-2, dated Bangalore, the 6th January 1934.

In exercise of the powers vested in Government under Section 13 of the Mysore Amusements Tax Regulation, 1932, and subject to the rules issued under Section 12 (g), Government are pleased to delegate to the Deputy Commissioners of districts the powers of Government under Section 8 to exempt, by a special order, any entertainment to be held in their respective jurisdictions, when such entertainment satisfies the conditions laid down in Sub-section (1) of that section.

By Order,

H. V. RAMASVAMI,

Secretary to Government,

General Department.

No. P. 3194—Legis. 66-32-5 Bangalore, dated the 5—6th January 1934.

Ordered that the accompanying Regulation to amend the Mysore Lunacy Regulation, 1916, which received the assent of His Highness the Maharaja, on the 29th day of December 1933, be published as Regulation No. XII of 1933 in the *Mysore Gazette* for general information.

H. V. RAMASVAMI.
Secretary to Government,
General Department.

REGULATION No. XII OF 1933.

(Received the assent of His Highness the Maharaja on the 29th day of December 1933.)

A Regulation to amend the Mysore Lunacy Regulation, 1916.

Whereas it is expedient to amend the Mysore Lunacy Regulation, 1916; It is hereby enacted as follows:— Preamble.

1. This Regulation may be called the Mysore Lunacy (Amendment) Regulation, 1933. Short Title.

2. In sub-section (1) of section 3 of the Mysore Lunacy Regulation, 1916 (hereinafter referred to as the said Regulation), the figures and letter "10-A" shall be inserted between the figures "7" and "14." Amendment of section 3.

3. After sub-section (1) of section 4 of the said Regulation, the following proviso shall be added:— Amendment of section 4.

"Provided that in cases in which one of the certificates is signed by the Superintendent of the Mental Hospital and he certifies that the alleged lunatic is in immediate need of treatment in the Hospital, the application for a reception order may be made to the Magistrate within the local limits of whose jurisdiction the Hospital is situated."

4. After section 10 of the said Regulation, the following section shall be added:— Addition of a new section as 10-A.

"10-A. (1) In cases of urgency where it is expedient for the welfare of the person alleged to be lunatic that the alleged lunatic shall be forthwith placed under care and Urgency orders.

treatment, he may be received and detained in the Mental Hospital upon an urgency order, made (if possible) by the husband or wife or by a relative of the alleged lunatic, accompanied by one medical certificate.

(2) An urgency order may be signed before or after the medical certificate.

(2) If an urgency order is not signed by the husband or wife or by a relative of the alleged lunatic, the order shall contain a statement of the reasons why the same is not so signed and of the connection with the alleged lunatic of the person signing the order, and the circumstances under which he signs the same.

(4) No person shall sign an urgency order unless he is at least twenty-one years of age and has within two days before the date of the order personally seen the alleged lunatic.

(5) An urgency order may be made as well after as before a petition for a reception order has been presented. An urgency order, if made before a petition has been presented, shall be referred to in the petition, and if made after the petition has been presented, a copy thereof shall forthwith be sent by the petitioner to the Magistrate to whom the petition has been presented.

(6) An urgency order shall remain in force for seven days from its date: or if a petition for a reception order is pending, then until the petition is finally disposed of.

(7) An urgency order shall have sub-joined or annexed thereto, a statement of particulars and shall be in the form perscribed.

MIRZA M. ISMAIL,
Dewan.

Order No. P. 3193—Legis. 34-33-3, Bangalore, dated the 6th January 1934.

Ordered that the accompanying Regulation further to amend the Code of Criminal Procedure, 1904, which received the assent of His Highness the Maharaja, on the 29th day of December 1933, be published as Regulation No. XIII of 1933, in the *Mysore Gazette* for general information.

By Order,
H. V. RAMASVAMI,
General Secretary to Government.

REGULATION No. XIII OF 1933.

(Received the assent of His Highness the Maharaja on the 29th day of December 1933.)

A Regulation further to amend the Code of Criminal Procedure, 1904, for a certain purpose.

Preamble. Whereas it is expedient further to amend the Code of Criminal Procedure, 1904, for the purpose hereinafter appearing; It is hereby enacted as follows:—

Short title. 1. This Regulation may be called the Code of Criminal Procedure (Amendment) Regulation, 1933.

Amendment of section 526. 2. In section 526 of the Code of Criminal Procedure, 1904,—

(*a*) In sub-section (5), for the words "has power under this section to award by way of costs" the words "may under this section award by way of compensation" shall be substituted;

(*b*) In sub-section (6), for the words "Public Prosecutor" the words "Government Advocate" shall be substituted;

(*c*) (i) In sub-section (6-A), for the word "costs" the word "compensation" shall be substituted, and for the words "any expenses reasonably incurred by such person in consequence of the application" the words "such sum not exceeding two hundred rupees as it may consider proper in the circumstances of the case" shall be substituted;

(ii) The following proviso shall be added to sub-section (6-A):—

"Provided that no such order for payment of compensation shall be passed unless the applicant has had an opportunity of showing cause to the countary."

(*d*) for sub-section (8) the following sub-section shall be substituted, namely:—

"(8) If in any inquiry under Chapter VIII or Chapter XVIII or in any trial, any party interested intimates to the Court at any stage before the defence closes its case that he intends to make an application under this section, the Court shall, upon his executing, if so required, a bond without sureties, of an amount not exceeding two hundred rupees that he will

make such application within a reasonable time to be fixed by the Court, adjourn the case for such a period as will afford sufficient time for the application to be made and an order to be obtained thereon :

Provided that nothing herein contained shall require the Court to adjourn the case upon a second or subsequent intimation from the same party, or, where an adjournment under this sub-section has already been obtained by one of several accused, upon a subsequent intimation by any other accused ; "

(*e*) to sub-section (9) the following Explanation shall be added, namely :—

" *Explanation.*—Nothing contained in sub-section (8) or sub-section (9) restricts the powers of a Court under section 344 ; "

(*f*) after sub-section (9) as so amended the following sub-section shall be added, namely :—

"(10) If, before the argument (if any) for the admission of an appeal begins, or, in the case of an appeal admitted, before the argument for the appellant begins, any party interested intimates to the Court that he intends to make an application under this section, the Court shall, upon such party executing, if so required, a bond without sureties of an amount not exceeding two hundred rupees that he will make such application within a reasonable time to be fixed by the Court postpone the appeal for such a period as will afford sufficient time for the application to be made and an order to be obtained thereon."

MIRZA M. ISMAIL,
Dewan.

Order No. P. 3192—*Legis.* 25-33-3, *Bangalore, dated the 6th January* 1934.

Ordered that the accompanying Regulation further to amend the Criminal Tribes Regulation, 1916, which received the assent of His Highness the Maharaja, on the 29th day of December 1933, be published as Regulation No. XIV of 1933 in the *Mysore Gazette* for general information.

By Order,
H. V. RAMASVAMI,
General Secretary to Government.

REGULATION No. XIV OF 1933.

(Received the assent of His Highness the Maharaja on the 29th day of December 1933.)

A Regulation further to amend the Criminal Tribes Regulation, 1916.

Preamble.

Whereas it is expedient to further amend the Criminal Tribes Regulation, 1916; It is hereby enacted as follows:—

Amendment of section 10.

1. For section 10 of the Criminal Tribes Regulation, 1916 (hereinafter referred to as the said Regulation), the following section shall be substituted, namely:—

Members of criminal tribes to report themselves or notify residence.

"10 (1) The Government may, by notification in the Official Gazette, issue in respect of any criminal tribe either or both of the following directions, namely, that every registered member thereof shall, in the prescribed manner,—

(*a*) report himself at fixed intervals;

(*b*) notify his place of residence and any change or intended change of residence, and any absence or intended absence, from his residence.

(2) Where a registered member of a criminal tribe in respect of which the Government has issued a notification under sub-section (1) changes his place of residence to a district other than that in which he has been registered, or is for the time being in any district other than that in which he has been registered, the provisions of this Regulation and of the rules made thereunder shall apply to him as if in pursuance of a direction made under section 4 he had been registered in that district.

(3) Where any such registered member changes his place of residence to a district other than that in which he has been registered, the relevant entry in the register shall be transferred to the Superintendent of Police of that district."

Amendment of section 24

2. The word "hereafter" occurring in sub-section (1) of section 24 of the said Regulation shall be omitted and the following proviso be added after clause (*b*) of the said sub-section:—

"Provided that not more than one of any such convictions which may have occurred before the 14th day of December 1916 shall be taken into account for the purposes of this sub-section."

MIRZA M. ISMAIL,

Dewan.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. L. 6451—*Ml.* 162-33-5, *dated*, 20*th*—23*rd* *February* 1934.

In exercise of the powers vested under Section 228 (2) (C) of the Mysore City Municipalities Regulation, 1933, the Government of His Highness the Maharaja are pleased to make the following rule for regulating the appointment of officers and servants under Section 49 (*e*) of the said Regulation in City Municipal Councils :—

No City Municipal Council shall, except with the previous sanction of Government, employ or continue to employ any person who is or has been sentenced to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months or to transportation, such sentence not having been subsequently reversed or quashed.

By Order,

R. Ranga Rao,

Chief Secretary to Government.

No. P. 4038—*Legis.* 15-33-41, *dated* 23*rd*—24*th February* 1934.

The following draft amendment which the Government propose to make in exercise of the powers conferred on them under Section 11 of the Mysore Motor Vehicles Regulation, 1928, to the Mysore Motor Vehicles Rules, 1924, as amended from time to time, is hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th March 1934 and that any suggestions or objections which may be received from any person with respect to the said draft before the date aforesaid will be considered by Government.

The following shall be substituted for Rule 12 A : —

" Whenever the structure of a motor vehicle once registered is materially altered, the original certificate of registration shall be surrendered and a fresh certificate of registration obtained on payment of the fee prescribed in Rule 4 provided that no such fee shall be charged if the fee originally paid is higher than the fee which is payable after alteration."

NOTE.—Material alteration means and includes change of the body of a motor vehicle from one type to other and also the change of engine and chassis.

By Order,

H. V. RAMASVAMI,
Secretary to Government,
General Department.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. G. 6392—*Med.* 172-33-2, *dated Bangalore, 17th March* 1934.

In exercise of the powers conferred under Clause V of sub-section (1) of Section 25 of the Mysore Medical Registration Regulation, V of 1931, Government are pleased to publish for general information, the following Draft Rule proposed to be issued in the matter of the compilation, revision and publication of the Mysore Medical Register.—

The Draft will be taken into consideration after 1st May 1934.

Existing Rule.	*Proposed Draft Rule.*
Every year, the Registrar shall, in the month of January, cause to be printed and published the register prescribed above and corrected up to the 31st December preceding. The Registrar shall keep an interleaved copy of such printed list wherein he shall make during the year any entry, alteration or erasure that may be necessary.	Every third year, the Registrar shall, in the month of January, cause to be printed and published the register prescribed above and corrected up to the 31st December preceding. The Registrar shall keep an interleaved copy of such printed list wherein he shall make during the interval, any entry, alteration or erasure that may be necessary.

By Order,

S. ABDUL WAJID,

General Secretary to Government.

Regd. No. M.—1175.

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BANGALORE, THURSDAY, APRIL 19, 1934.

PART IV

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. R. 5324—L. S. 63-33-5—Dated Bangalore, 11th April 1934.

In exercise of the powers vested in them under Section 233 of the Land Revenue Code, Government are pleased to direct that the following addition to the Rule 40 of the Rules under the said Code be made:—

"Provided that in taluks where a Notification under Section 4 (2) of the Record of Rights Regulation has issued the notice contemplated in para 1 shall be issued to all persons whose rights (not being merely rights of easement) have been registered in the Record of Rights, without charging any fee."

No. P. 4790—Legis. 15-33-51, dated Bangalore, 12—16th April 1934.

The following draft amendments which the Government propose to make in exercise of the powers conferred on them under Section 11(1) of the Mysore Motor Vehicles Regulation, 1928, to the Mysore Motor Vehicles Rules, 1924, are published for the information of persons likely to

be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th May 1934 and that any suggestions or objections which may be received from any person with respect to the said draft before the date aforesaid will be considered by the Government :—

1. In Rule 27(1-A) the words "till the end of June next after" shall be substituted for the words "for twelve months from."

2. The following shall be substituted for paragraph (1) of Rule 30 (1) :—

"No motor vehicle shall be let or plied for hire in any local area or along any public road unless the owner of such vehicle has further obtained a permit in Form H for the use of the road from the Deputy Commissioner of the District and except in accordance with the conditions specified in such permit.

Such permit shall be in force till the end of June next after the date of issue, provided that permits may be granted for shorter periods in respect of motor vehicles plying for hire during jatras, fairs and similar occasions."

"Applications for permits under this rule should be accompanied by the certificate of registration and the G permit issued by the District Magistrate."

3. At the end of condition 7 of the permit in Form H annexed to the said rules, the words "by the driver" shall be added.

By Order,
S. ABDUL WAJID,
Secretary to Government,
General Department.

Printed by the Superintendent at the Government Press, Bangalore.

Regd. No. M.—1175.

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BANGALORE, THURSDAY, MAY 3, 1934.

PART IV

Legislative measures and Rules thereunder.

NOTIFICATION.

No. P. 4893—Legis. 24-33-10, Bangalore, dated 18th—23rd April 1934.

The following draft amendment which the Government propose to make in exercise of the powers conferred on them under Section 11 of the Mysore Motor Vehicles Regulation, 1928, to the Mysore Motor Vehicles Rules issued with Notification No. P. 3015—Legis. 21-22-10, dated 11th December 1924 as amended from time to time is hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 15th May 1934 and that any suggestions or objections which may be received from any person with respect to the said draft before the date aforesaid will be considered by Government :—

Draft Amendment :—For sub-rule (3) of the rule 30 of the said Rules, the following shall be substituted :—

"In case the motor vehicle in respect of which a permit is issued under this rule, is a motor bus, the amount of fees recovered in respect of such permit shall be apportioned between the respective local authorities and the

Government in proportion to the estimated number of miles the permitted vehicle would cover within their respective jurisdictions."

"*Explanation* :—A local authority for the purposes of this rule means only a District Board, a City Municipal Council or such other Town Municipal Council or Sanitary Board as Government may notify in this behalf."

By Order,
S. ABDUL WAJID,
Secretary to Government,
General Department.

Printed by the Superintendent at the Government Press, Bangalore.

Regd. No. M.—1175.

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BANGALORE, THURSDAY, MAY 10, 1934.

PART IV

Legislative measures and Rules thereunder.

NOTIFICATION.

No. P. 4668—*Pol.* 135-33-3, *dated Bangalore, 7th—9th April* 1934.

In exercise of the powers conferred by section 21 of the Mysore Criminal Tribes Regulation, VII of 1916, as amended from time to time, the Government of His Highness the Maharaja are pleased to issue the following rules in supersession of those published in previous notifications issued thereunder :—

By Order,
R. Ranga Rao,
Chief Secretary to Government.

Rules issued under the Criminal Tribes Regulation VII of 1916 as amended by Regulation No. X of 1925 and XIV of 1933.

PART I.

1. The Register of the members of a Criminal Tribe, prescribed in section 4, shall be prepared in Form A annexed to these rules. All entries in the said register shall be in English and shall be attested by the District Magistrate, or by the officer empowered by him to make

the register in his behalf. A separate sheet shall be used for each member and all sheets relating to the members of one tribe in one district shall be serially numbered and kept together in a loose-leaf book.

2 (i) No person under 12 years of age shall be included in the register. The decision of the officer making the entry shall be final as to the question of age.

(ii) In the case of a criminal tribe containing children below the age of 12, the nearest relation or guardian of such children shall be bound to give notice to the officer in charge of the Police Station within the limits of which they reside, of the attainment by such children of the age of 12.

3. The notice required under section 5 shall be in Kannada in Form B annexed to these rules and shall be published,

(*a*) by posting a copy of such notice,

(i) at the place where the register is to be made and in the chavadi or other conspicuous place in every village or town in which it is known or believed that members of the criminal tribe reside or are secreting themselves, and

(ii) in every police station within the local limits of which any such town or village is situated, and

(*b*) by serving a copy of such notice on the patel of every such village or town who shall thereupon cause it to be proclaimed in the village or town by beat of drum, and

(*c*) by serving a copy of the notice on any member of the tribe when specially directed by the District Magistrate.

Explanation :—The residence of a person, not having a fixed domicile, shall be deemed to be the place where he passed the night immediately preceding his registration, until he notifies another place in accordance with the provisions contained in these rules. If he is in jail at the time of his registration, his place of residence will be considered as that notified by him to the registering officer.

4 (i) The notice required by section 7, clause (2), shall be served in the manner provided in the Criminal Procedure Code for the service of a summons or in case the house or homestead in which the person ordinarily resides is unknown, in the manner prescribed in rule 3.

(ii) In the case of any member who is in jail in the district, the registering officer shall secure his presence in the manner provided in the Prisoners' Testimony Regulation V of 1894, as if such member were required to give evidence before the registering officer; provided that the District Magistrate may direct the Superintendent of the Jail to make the register in respect of such member.

5. (i) The Superintendent of Police shall supply the registering officer with a register sheet in Form A and a finger print slip in Form C, both duly filled up as far as possible, in respect of all members ordered by the District Magistrate to appear before the registering officer. The registering officer will complete the entries and take the finger prints of each member and return the forms to the Superintendent of Police who will assign a serial number, place Form A in his loose-leaf book and forward Form C to the Finger Print Bureau which will acknowledge its receipt in Form D.

(ii) The district serial number shall be prefixed by the district abbreviation letters and the letters allotted for the tribes as noted in Appendix A.

6. (i) At the time of registration of members under section 5 or 7 of the Regulation, it shall be the duty of the registering officer to explain to the members—

(*a*) their liabilities under the Regulation, and

(*b*) any orders or rules passed by Government or any subsidiary rules issued by the District Magistrate with which they are bound to comply.

(*ii*) If the Government has issued notifications under section 10 (1) (*a*) or 10 (1) (*b*) of the Regulation prior to such registration, the registering officer shall serve a vernacular copy of the memorandum in Form E on the members concerned and make an entry to this effect in column 9 of the register in Form A.

(*iii*) In the case of members having no fixed place of residence if orders under Section 10 (1) (*a*) or 10 (1) (*b*) or both clauses have been passed prior to such registration, such persons shall also be supplied by the registering officer with an identification roll in Form F and an entry made to this effect in column 9 of the register in Form A.

(*iv*) The officer carrying out the registration shall, in cases where he is not himself the District Magistrate, submit to the District Magistrate the names of any members brought before him for registration with regard to whom he may have any doubt.

7. (*i*) If the Government issues orders under section 10 (1) (*a*) or 10 (1) (*b*) or under section 12 subsequent to the registration under section 4, the District Magistrate shall cause a vernacular copy of the memorandum in Form E to be delivered to the members concerned in the manner prescribed in rule 4 and shall direct the Superintendent of Police to attach the acknowledgment in Form G with the member's left thumb impression in column 12 of the register in Form A.

(*ii*) In the case of members having no fixed place of residence, the District Magistrate shall also cause to be delivered to every such member an identification roll in Form F obtaining the acknowledgment in Form G.

8. (*i*) The Superintendent of Police shall bring to the notice of the District Magistrate at least once a year the names of all persons who in his opinion may safely be removed from the register.

(*ii*) Any person whose name has been removed from the register may be ordered to be re-registered by the District Magistrate who shall record his reasons therefor in writing.

9. (*i*) If a registered member permanently changes his place of residence to a district other than that in which he has been registered, his sheet shall be taken out of the file in the Criminal Tribes Register and sent by registered post to the Superintendent of Police of the district to which he has moved, and the removal slip in Form H shall be inserted in its place to which should be attached the acknowledgment in Form I received from the district to which it has been transferred. The registered member will be renumbered in his new district in the series of that district for his tribe. Intimation of the new number will be given by the Superintendent of Police to the Criminal Investigation Department and the Finger Print Bureau and the acknowledgment referred to above sent to the district from which it has been received.

(*ii*) All other criminal tribe members changing residence shall continue to be borne on the register of the district from which they have come.

10. Every member of a criminal tribe, in respect of which a notification under section 3 has issued, residing in a village having a school within a radius of three miles, shall cause all male children between the ages of 6 and 12 living under his care to attend such school regularly.

11. Any magistrate or any police officer not below the rank of Jamedar may at any time inspect the residence of any member of a criminal tribe.

12. Any police officer or village patel shall be competent to pay at any time domiciliary visits within his jurisdiction to any registered member with a view to verifying the presence of such registered member and it shall be the duty of such registered member to appear before such officer. The member shall also give his thumb impression if required to do so.

PART II

RULES TO APPLY TO ANY CRIMINAL TRIBE OR PART THEREOF IN RESPECT OF WHICH A NOTIFICATION HAS BEEN PUBLISHED UNDER SECTION 10, CRIMINAL TRIBES REGULATION.

13. Every registered member of a criminal tribe in respect of which a notification has been issued under section 10 (1) (*a*) shall report himself to the patel of the village within the limits of which he is residing for the time being, at such intervals, not exceeding one week, as the District Magistrate may, by general or special order, direct.

14. The person to whom the registered members of a criminal tribe are required to report themselves under rule 13 shall be furnished with a register of such members in Form J annexed to these rules and he shall note therein the fact of their having reported themselves at the prescribed time.

15. Every registered member of a criminal tribe who has been required under section 10 (1) (*b*) to notify his place of residence and changes therein shall immediately, or within three days of his release if registered while in jail, notify in person his permanent place of residence to the officer in charge of the police station within the limits of which such place is situated. Such officer shall enter this in the register in Form K kept by him and communicate the information to the patel of the village within the limits of which the permanent residence of the member is situated. If the registered member is temporarily living within the limits of a different police station, he shall notify his permanent place of residence immediately to

the officer in charge of that police station who shall enter it in the register in Form K kept by him and then give the necessary intimation to the officer in charge of the police station within the limits of which the permanent place of residence of the member is situated. The latter shall give necessary intimation to the patel concerned.

16. (i) Whenever any such person liable to the provisions of section 10 (1) (*b*) desires to change his residence permanently or wishes to absent himself from his home for one or more nights and travel beyond the limits of the district in which his permanent place of residence is situated, he shall notify in person to the officer in charge of the police station within the limits of which he is residing, not less than 7 days before his departure, the date on which he intends to proceed, the name of the village and the house to which he intends to proceed, the route and the time he will take in going to his destination and in case of temporary absence, the probable period thereof and the route and the time he will take in returning to his village. If he intends to halt for a night or nights on the route, he must state the village or villages at which he intends to halt.

(ii) If any such person intends to absent himself from his home for one or more nights and travel beyond the jurisdiction of the police station but not outside the district in which his permanent place of residence is situated, he shall notify the same in person, not less than three days prior to his departure, to the officer in charge of the police station, within the limits of which he is residing, giving the date on which he intends to start and the route and other particulars as required in clause (i).

(iii) Whenever any such person intends to absent himself from his home for one or more nights and travel within the limits of the police station in which he resides he shall notify his intention one day prior to his departure giving the date and other particulars as required in clause (i).

(iv) Every such person shall obtain a certificate in Form L annexed to these rules and shall not without good and sufficient cause deviate from the route notified or exceed the time notified in going to his destination or returning to his village or be absent for a longer period than the period notified as the probable period of absence. He shall also immediately upon his arrival at the village in which he intends to reside, either permanently or

temporarily, or to spend any time between sunset and sunrise, report in person to the patel of the village, or to the officer in charge of the police station where there is a police station, his arrival at and departure from the village and shall obtain signature in column 5 of Form L. He shall also continue to fulfil the requirements of any order previously served on him under section 10 (1) (*a*). On the completion of his journey if the change of residence be permanent, or of his return journey if the change of residence be temporary, he shall surrender the certificate in Form L to the officer in charge of the police station in the limits of which the village is situated.

(v) If he desires an extension of his absence beyond that notified in his original application to the officer in charge of the police station, he must notify the same in person, before the expiry of the original period, to the officer in charge of the police station within whose jurisdiction he is residing for the time being.

(vi) For the purposes of this rule, absence for a night means absence from his home at any time between sunset and sunrise.

17. (i) Whenever the officer in charge of the police station receives a notice under rule 16 he shall grant to the person giving the notice a certificate in Form L and send the duplicate to the patel of the village wherein the registered member is living.

(ii) In the event of the member not returning to the village within the period notified by him, the patel shall forthwith give information of the fact to the officer in charge of the police station within the limits of which such village is situated.

18. (i) The officer in charge of the police station from the limits of which a member of a criminal tribe, who has been notified under section 10 (1) (*b*) is departing shall, without delay, give information of the fact in Form L annexed to these rules to the officer in charge of the police station, in the jurisdiction of which such member intends to take up residence, of the place where such member intends to reside and the probable date of his arrival. The latter shall then verify his arrival and send intimation to the former. In case of permanent change of residence to another district, the officer in charge of the police station within the limits of which the member has taken up residence shall also promptly despatch intimation of the fact to the Superintendent of

Police of his district to enable him to see that the provisions of rule 9 are observed.

(ii) The patel of the terminal village shall, on the registered member's arrival, forthwith give information of the fact to the officer in charge of the police station, in whose jurisdiction his village is situated.

19. (i) Every registered member who has been furnished with an identification roll shall carefully preserve it and produce the same at the time of his periodical attendance under section 10 (1) (*a*) and on every occasion covered by section 10 (1) (*b*).

(ii) The person to whom the registered member shall report himself as aforesaid shall acknowledge the report by making suitable entries in the prescribed columns in the roll and shall make corresponding entries in his own registers.

(iii) The identification roll should also be produced for inspection when required by any magistrate, police officer, village patel or any other person who may be empowered under rule 23 by the District Magistrate.

(iv) If a member loses his identification roll, he shall report the loss immediately at the police station within whose limits he is for the time being staying and the officer in charge shall (after such inquiries as may be necessary) get a fresh and certified copy of the roll prepared and make it over to the member who shall either wait and take it or leave an address where it can find him. During this interval, the member should provide himself with a temporary permit in Form F-1.

20. Every registered member required to report himself under section 10 (1) (*a*) or notify his residence under 10 (1) (*b*) if undergoing imprisonment in a jail either at the time of registration or subsequent to it shall immediately after release notify to the officer in charge of the police station in the limits of which the jail is situated, his permanent place of residence and shall obtain from such officer a certificate in Form L.

21. If any registered member of a criminal tribe required to report himself under rule 13 or give notice under rule 15 or 16 is prevented by illness or other sufficient cause from doing so in person, he shall inform the patel, or other person appointed by the District Magistrate under rule 23, of the village, in whose limits he happens to be, of the fact by a written or verbal message containing particulars he is required by the

rules to furnish. The patel or that other person as the case may be shall report the fact to the police station.

22. Any registered member may be exempted by the District Magistrate from the obligations imposed by section 10 (1) (*a*) or 10 (1) (*b*) either totally, partially or conditionally. Such exemption may be varied or cancelled.

23. (i) In places where there are police stations or police outposts, the reports required to be made under the preceding rules to the village patel shall be made to the officer in charge of such police stations or outposts.

(ii) In any particular area the District Magistrate may, by a notification published in the manner prescribed in rule 3 appoint or nominate any police officer or other person to receive the reports and to perform the duties under these rules in the place of the village patel or the officer in charge of the police station or outpost.

PART III

RULES TO APPLY TO ANY CRIMINAL TRIBE OR PART THEREOF IN RESPECT OF WHICH A NOTIFICATION RESTRICTING ITS MOVEMENTS TO A SPECIFIED AREA HAS BEEN PUBLISHED UNDER SECTION 12.

24. (i) Every registered member of a criminal tribe liable to the provisions of section 12 or 13, shall report himself at such intervals as may be fixed by the District Magistrate in this behalf to such person as the District Magistrate may direct. The intervals at which and the person to whom such a registered member shall be required to report himself may be altered at any time by the District Magistrate. The District Magistrate may exempt a registered member from the obligation to report himself on such conditions as he may accept and may withdraw any such exemption at his discretion. The provisions of rule 7 shall apply to all orders passed under this rule subsequent to registration.

(ii) The person to whom the registered members of a criminal tribe are required to report themselves under this rule shall be furnished with a register of such members in Form J and he shall note therein the fact of their having reported themselves at the prescribed time.

25. In the case of every police station within the limits of which any members of a criminal tribe aforesaid are permitted to reside, two lists shall be maintained.—

(*a*) A roll of the members of the criminal tribes residing within the limits of the police station who have not been exempted under rule 24 by the District Magistrate from reporting, in Form M annexed to these rules. All changes therein should forthwith be notified to the Superintendent of Police.

(*b*) A roll of all children between the ages of 14 and 15 of such sex as has not been exempted from registration, in Form N annexed to these rules. This roll shall be revised annually.

26. (*a*) No member of a criminal tribe who has not been exempted under rule 24 by the District Magistrate from reporting shall leave the limits of the area to which his movements have been restricted unless he has been granted a pass under these rules and he shall obey the conditions specified in the pass.

(*b*) The officer in charge of the police station within the limits of which any member resides, or other police officer who may be authorised by the District Magistrate, may grant to any member of a criminal tribe who has not been exempted under rule 24 by the District Magistrate from reporting leave of absence for a period not exceeding seven days. Leave of absence for any longer period may be granted by the Superintendent of Police. Not more than ten per cent of the adult males may be allowed to be absent on leave at any one time without the sanction of the Superintendent of Police. Any pass granted under this rule may at any time be withdrawn by the authority granting it.

(*c*) Patels may receive applications for leave of absence from the registered members and forward them to officers in charge of the police station having jurisdiction.

(*d*) The District Magistrate may suspend, modify or cancel any orders passed by the Superintendent of Police under clause (*b*).

27. On leave being granted to any person, he shall be furnished with a pass signed by the police officer referred to in rule 26 (*b*) in Form O annexed to these rules. Any person who goes beyond the area to which his movements have been restricted without a pass or who, having received a pass, remains outside the limits of that area for a longer period than is specified therein, without sufficient cause, will be liable to the penalty prescribed by section 23 of the Regulation.

28. (i) The pass referred to in rule 27 shall be drawn up in English and in Kannada, in triplicate, the forms being numbered consecutively. The original shall be kept by the police officer issuing the pass, the duplicate sent to the officer in charge of the police station within the limits of which the place of destination of the person granted leave is situated and the triplicate handed over to the person who is granted leave.

The route to be taken by the person granted leave on the journeys to and from his destination shall be specified in the pass and he shall travel by no other route. He shall report himself to the patel of every village in which he halts over night, and such patel shall affix his signature on the reverse of the pass noting therein the approximate hours of arrival and departure. In the event of a halt being made in a village or town where there is a police station, the report shall be made at the police station. On arrival at his destination, he shall at once report himself to the patel of the village who shall forthwith report the arrival to the officer in charge of the police station within the limits of which the village lies and note this fact on the reverse of the pass. A person who has been granted leave shall show his pass to any magistrate or police officer who may demand its production. On return to his notified area he shall report himself immediately to the officer in charge of the police station having jurisdiction and hand over the pass to him.

(ii) If for any genuine reason, such as serious illness, he is unable to return to his residence within the period of his leave, he shall at once give information, through the patel of the village at which he is staying at the time, to the nearest police station. The officer in charge of such police station will verify the reason and send intimation to the officer in charge of the police station within the limits of which the registered member was permanently residing. If the registered member on leave belongs to a different district, the Superintendent of Police in whose jurisdiction the registered member is staying for the time being shall send the necessary intimation to the Superintendent of Police of the district from which he has taken leave.

29. Nothing contained in these rules shall be deemed to render it illegal for a person whose movements have been restricted to an area, to quit the limits of such area for the purpose of appearing at the police station,

within the limits of which he is residing, or before the nearest magistrate having jurisdiction, to complain of an offence affecting himself or his family or to apply for a pass under these rules :

Provided that such person shall give notice of his intended departure to the patel of the village and shall proceed straight to the police station or the magistrate or to the officer who grants passes.

30. (i) A pass of temporary exemption in Form P will be issued to registered members of criminal tribes in respect of whom a notification has been issued under section 12 or 13 and who with the permission of the District Superintendent of Police take service under any private person.

(ii) The private person who employs such criminal tribesman shall be bound to provide suitable accommodation for him and his family, shall employ him for a fixed term, shall pay a wage to be fixed by the District Superintendent of Police, shall be bound to look after him in every way and to provide medical aid for him and his family, if necessary, and shall submit quarterly reports to the District Superintendent of Police on his behaviour. In case of his failure to comply with any of these conditions, he shall be deprived of the services of the family at the discretion of the District Superintendent of Police and shall not be entitled to any compensation for the loss which may occur to him.

(iii) The employee shall be bound to work faithfully and shall be liable to removal to the Reformatory or some settlement in cases of misbehaviour.

PART IV

Rules to apply to tribe, gang or class declared to be a Criminal Tribe outside Mysore who desire to visit places in Mysore.

31. Should any member or members of a tribe, gang or class declared as a criminal tribe outside Mysore, be desirous of entering Mysore, the member or members should apply for a permit to the Inspector-General of Police in Mysore with the passport obtained in their country stating the name or names of places he or they propose to visit, the purpose of the journey and the period of stay.

32. The Inspector-General of Police may, on receipt of such application endorse over his signature the names of places to which he or they may proceed and the period for which he or they may remain in Mysore and also send the necessary intimation to the District Superintendents of Police concerned. The discretion of granting such permits vested in the Inspector-General of Police is absolute and an endorsed passport shall be treated for the purposes of Regulation VII of 1916, as a passport issued under rule 27 and the holder of the passport shall abide by the rules issued under the above mentioned Regulation:

Provided that whenever any criminal tribe members living outside Mysore take refuge in the Mysore State, the manager of the criminal tribe settlement or the District Superintendent of Police from whose jurisdiction the member or members have escaped, may issue passports to bonafide search parties including members of criminal tribes, in anticipation of countersignature by the Inspector-General of Police in Mysore, giving due intimation of the issue of such passports to the District Superintendents of Police in Mysore in whose jurisdiction the search parties are to move. A copy of the passport so issued should, however, be sent by the issuing officer to the Inspector-General of Police in Mysore for countersignature and it should be clearly stated in both the passports, the original and the copy, that they are for authorised search parties and that they are issued in anticipation of ratification by the Inspector-General of Police. The copy of the passport countersigned by the Inspector-General of Police will be returned to the issuing officer and the fact of countersignature intimated to the concerned District Superintendents of Police in Mysore.

PART V

RULES TO APPLY TO ANY CRIMINAL TRIBE OR PART THEREOF IN RESPECT OF WHICH A NOTIFICATION HAS BEEN PUBLISHED UNDER SECTION 12 AND WHICH HAS BEEN PLACED IN A SETTLEMENT ESTABLISHED BY GOVERNMENT UNDER SECTION 16.

33. The enquiry prescribed under section 16 of the Regulation shall be made by the Commissioner of Labour, acting in consultation with the Inspector General of Police and the District Magistrates, concerned.

34. The management, control and supervision of the settlement shall be vested in the settlement manager, who will be appointed by Government either by name or in virtue of his office. Settlement managers and superintendents of schools appointed by Government shall be responsible for the management of the institutions under their control, and for the well-being of the inmates of those institutions and may be removed by the order of Government.

35. In every settlement two lists shall be maintained:—

(*a*) One shall be a roll of the members of the criminal tribes residing in the settlement (Form Q). All changes therein should forthwith be notified to the Superintendent of Police and the officer in charge of the camp-guard or, if there is no such guard, to the officer in charge of the police station or outpost having jurisdiction.

(*b*) The second shall contain the names of all children under the age of 15 years together with the names of their parents or guardians (Form R). A similar list shall also be maintained at all schools established by Government under section 17 of the Regulation and shall include all the inmates of the school of whatever age.

36. When a criminal tribe has been distributed between two or more settlements, the managers of the settlements may mutually arrange for transfers of settlers from one settlement to the other, but they shall report every such transfer forthwith to the Superintendent of Police or Superintendents of Police, concerned.

37. (*a*) No member of a criminal tribe, shall absent himself from the settlement unless he has been granted a a pass under these rules, and he shall obey the conditions specified in the pass.

(*b*) The manager, or the assistant manager if previously authorised in this behalf by the District Magistrate, may grant to any member of a criminal tribe leave of absence from the settlement for a period not exceeding 15 days. Leave of absence for any longer period may be granted by the Superintendent of Police. Not more than 10 per cent of the adult males may be allowed to be absent from the settlement on leave at any one time without the sanction of the Superintendent of Police. Any pass granted under this rule may at any time be withdrawn by the authority granting it.

(*c*) The District Magistrate may suspend, modify or cancel any orders passed by the Superintendent of Police under clause (b).

38. (*a*) On leave being granted to any person, he shall be furnished with a pass signed by the manager, or the assistant manager if previously authorised in this behalf by the District Magistrate, in Form S annexed to these rules. Any person who goes beyond the settlement limits without a pass or who, having received a pass, remains outside the limits of settlement for a longer period than is specified therein, without sufficient cause, will be liable to the penalty prescribed by section 23 of the Regulation.

(*b*) Members of criminal tribes who have been placed in settlements and who have been allowed to take up regular daily employment outside the limits of their settlements shall be given permanent passes specifying the hours of each day between which they are permitted to be absent from their settlements. A pass issued under this rule must be surrendered to the officer in charge of the settlement when the individual to whom it has been granted ceases to be employed on the work he has been permitted to undertake.

39. (*a*) The manager, or the assistant manager if previously authorised in this behalf by the District Magistrate, shall report to the officer in charge of the police-guard stationed near the settlement, or if there is no such guard, to the officer in charge of the police station or outpost having authority, the fact of the grant of leave to, or the absence without leave of, any member of a criminal tribe. Where possible, the grant of leave should be notified at least 3 days before it is availed of. Absence shall be notified as soon as it is known.

(*b*) The fact of the return to the settlement of any person who had been previously reported as absent without leave shall also be reported by the manager, or the assistant manager if previously authorised in this behalf by the District Magistrate, to the police officer referred to in clause (*a*).

40. The pass referred to in rule 38 (*a*) shall be drawn up in English and in Kannada, in triplicate, the forms being numbered consecutively—Form S. The original shall be kept by the manager, or the assistant manager if previously authorised in this behalf by the District Magistrate, the duplicate sent to the officer in charge of the

police station within the limits of which the place of destination of the person granted leave is situated and the triplicate handed over to the person who is granted leave.

The routes to be taken by the person granted leave on the journeys to and from his destination shall be specified in the pass and he shall travel by no other route. He shall report himself to the patel of every village in which he halts over night, and such patel shall affix his signature on the reverse of the pass noting therein the approximate hours of arrival and departure. In the event of a halt being made in a village where there is a police station the report shall be made at the police station and not to the patel. On arrival at his destination, he shall at once report himself to the village patel, who shall forthwith report the arrival to the officer in charge of the police station within the limits of which the village lies and note this fact on the reverse of the pass. A person who has been granted leave shall show his pass to any magistrate, or police officer not below the rank of an officer in charge of a police station who may demand its production. On return to the settlement he shall report himself immediately to the manager, or the assistant manager if previously authorised in this behalf by the District Magistrate, and hand over the pass to him.

41. Every member of the criminal tribe shall attend for verification of his presence before the manager or before some person authorised by him in this behalf, at such place and at such times or intervals of time as the manager may direct; provided that the manager may exempt any such member from attendance either on a specified occasion or generally.

42. The manager may decide what domestic animals may be kept by settlers in the settlement and may frame rules to ensure that they are so kept as not to cause injury or danger to health, property or person. For any breach of these rules the manager may sell the animal or animals in respect of which the breach has been committed and the proceeds of the sale shall be given to the owner of the animals.

43. (*a*) In agricultural settlements, where some form of agriculture is the main occupation provided, the settlers shall carry out such tasks for the purpose of improving the land or of growing a crop, as may be ordered by the manager. The terms of remuneration, the disposal of the produce, and the distribution of the land shall be

decided by the manager, subject to the general or special orders of the Government.

(*b*) The manager may fix the hours during which inmates of agricultural settlements shall be bound to work. Such hours shall not exceed the following maxima :—

(i) Adults—9 hours a day.
(ii) Juvenile adults under 16—7 hours a day.
(iii) Children under 13—4 hours a day.

The manager may, for special reasons, exempt any individual from working for the whole or part of the time prescribed for his class.

(*c*) In industrial settlements, the settlers shall be provided with some one or other of the following forms of employment. The settlers shall carry out such tasks as the manager may allot to them. The rate of payment in these settlements shall be as far as possible by piece work with a view to encouraging and rewarding diligence :—

Silk worm rearing,
Silk reeling, spinning or weaving,
Spinning or weaving,
Cotton weaving and warping,
Carpet and durrie making,
Carpentry and blacksmithing,
Shoemaking,
Tailoring,
Mat and basket making,
Coir picking,
Pottery,
Fitting and metal work,
Stone breaking, dressing, quarrying or mining,
Gardening,
Building and repairing buildings,
Making of treasure bags and boxes,
Tending poultry and live stock.
Scavenging,
Sugar Manufacturing, and other duties connected with the upkeep of the settlement.

44. (i) Any settler who disobeys these rules or refuses to obey any reasonable order given by the manager, or the assistant manager, shall be subject to any one or more of the following penalties :—

(*a*) a formal warning,
(*b*) additional or more arduous work at the discretion of the manager with loss of wages or reduced wages,
(*c*) cancellation or withholding of leave,
(*d*) loss of other privileges,
(*e*) daily roll call,
(*f*) restriction of movements to any particular area within the settlement at the discretion of the manager,
(*g*) fine,
(*h*) prosecution.

All orders of punishment under this rule shall be passed by the manager or provided that the assistant manager has been previously authorised in this behalf by

the District Magistrate by the assistant manager, and shall be liable to revision by the District Magistrate. The orders of the assistant manager shall also be liable to revision by the manager. No prosecution shall be instituted without the sanction of the District Magistrate.

(ii) Children may be punished for misbehaviour in accordance with the usual methods of school discipline. Cases of persistent misbehaviour or serious misconduct should be reported to the District Magistrate for prosecution or such other action as he may consider necessary.

45. Managers of settlements may, at their discretion, reward members of criminal tribes for good conduct. Such rewards would include exemption from roll call, more liberal grant of passes, increased payment for work, promotion to positions of responsibility and allotment of land for separate cultivation.

46. The Superintendent of Police of the district in which a settlement is located may, after consultation with the manager, grant to any member of the criminal tribe placed therein, who has given unmistakable evidence of good conduct and sustained industry for a sufficient period, a pass permitting him to reside outside the settlement but within the district for the purpose of earning his livelihood. The issue of the pass is entirely discretionary with the Superintendent of Police. If a member of the criminal tribe wishes to reside in a district other than that in which the settlement is located, the Superintendent of Police of the district in which the member of the criminal tribe wishes to reside, may grant the pass, but before doing so, he shall consult the manager of the settlement and the Superintendent of Police of the district in which the settlement is situated. Such a pass shall not be granted until the manager of the settlement either provides the member of the criminal tribe with suitable employment or places him in circumstances which will enable him to earn an honest livelihood. All orders passed by any Superintendent of Police will be subject to revision by the District Magistrate concerned. The District Magistrate may, without assigning reasons, revoke a pass so granted and require the member of the criminal tribe to re-enter the settlement. These passes shall be in Form P–1 and shall be subject to the conditions specified therein, and shall be liable to be revoked for a breach thereof.

47. The officer authorised to order discharge from settlements under section 18 of the Regulation shall be

the Commissioner of Labour acting in consultation with the manager of the settlement and the District Magistrate concerned.

48. If a member of a criminal tribe who is suffering from leprosy desires to be sent to a leper asylum, the Superintendent of Police of the district where the member resides or is settled for the time being may grant him a pass in Form P-1 for the purpose of enabling such member to be sent to and to reside in such asylum. Such pass may contain a condition that the holder of the pass shall reside at the asylum for such time as may be specified in the pass or until further orders, and shall not leave the asylum without the sanction of such person as may be indicated in the pass. All orders passed by a Superintendent of Police shall be subject to revision by the District Magistrate concerned.

49. (i) The settlement, and any residences therein or part thereof, may be inspected at any time by the Commissioner of Labour, District Magistrate, or the Superintendent of Police, or the Assistant Superintendent of Police, or by any person empowered by any of these officers in writing.

(ii) The Manager shall keep a book for record of notes of inspection by inspecting officers and shall forward a copy of any notes made therein within 48 hours to the District Magistrate and the Commissioner of Labour.

50. The following registers will be maintained by the managers of settlements :—

(1) Extracts from register of members of criminal tribes—Form A.

(2) A roll of the members of the settlement—Form Q.

(3) Attendance Register—Form T.

(4) Register of leave and pass holders—Form U.

(5) Register of births—Form V.

(6) Register of deaths—Form W.

(7) Register of members of criminal tribes absent without leave—Form X.

(8) Register of transfers from the settlement—Form Y.

(9) Register of punishments—Form Z.

(10) List of visitors to the settlers.

(11) Inspection book.

(12) Children's Register—Form R.

APPENDIX A—*rule* 5.

List of abbreviations to be used for the registration of Criminal Tribe members.

DISTRICTS.

Bangalore District	B.
Mysore „	M.
French-Rocks	F.
Hassan District	H.
Kadur „	Ka.
Shimoga „	S.
Chitaldrug „	C.
Tumkur „	T.
Kolar „	Ko.
Bangalore City	BC.
Kolar Gold Fields	K.G.F.

TRIBES.

Kepmaris or Vellala Korachars	Kep.
Gantichors	G.
Korachars, of all denominations	K.
Waddars of all denominations	W.
Handi Jogis	H. J.

C. T. REGULATION 1.

FORM A—*rule* 1.

(REGISTER OF MEMBERS OF CRIMINAL TRIBES.)

District..... *Tribe*.....

1. Serial number (with letters to denote district and tribe prefixed).
2. C. I. D. Gang number and serial number, if any.
3. Name (with aliases and nicknames).
4. Father's / Husband's name with aliases.
5. Residence.
6. Sex.
7. Description, estimated year of birth and identifying marks.
8. Nature of restrictions imposed, with No. and date of Government Order.
9. Date of service of the memorandum (Form E) and identification roll (Form F).

Left thumb impression of the member

Signature and designation of registering officer and date.

10. Subsequent orders by Government or District Magistrate quoting number and date.
11. Space in which to paste Finger Print Bureau acknowledgment. (Form D).

12. Space in which to paste member's acknowledgment of service of memo (Form E) and identification roll (Form F).

CONVICTIONS.

Sl. No.	Name under which convicted	District and court	Date and calendar number	Section	Sentence	Jail No.	Witnesses to prove

FORM B.

rule..... .....

Notice under section 5 of the Criminal Tribes Regulation, No. VII of 1916.

Whereas the Government of His Highness the Maharaja of Mysore has declared all persons mentioned below to be a criminal tribe under section 3 of the aforesaid Regulation by Notification No..... ...., dated..... ....and the Magistrate of ....District has been directed under section 4 to prepare a register of all such persons, the District Magistrate hereby directs, under section 5 that all persons mentioned below, who reside in the village of..... .....of.... .... taluk should present themselves at..... at.... .....m, on..... ..before.....and give him such information as may be necessary, to enable him to make the register and allow their finger impressions to be taken.

Note.—Any person failing to comply with the order in all respects renders himself liable to arrest without warrant and, on conviction, to a sentence which may extend to six months imprisonment or with a fine of Rs. 200, or with both.

C. T. REGULATION 3.

FORM C.—*rule* 5.

Finger Print Slip.

C. T. R. number (with district and tribe initials).

C. I. D. gang number and serial number (if any).

Name

F. P. B. serial No.

F. P. B. Classification.

Right Hand.

Right thumb	Right index	Right middle	Right ring	Right little
(Fold.)				(Fold)

Left Hand.

Left thumb	Left index	Left middle	Left ring	Left little
(Fold.)				(Fold.)

Left hand plain prints of the four fingers taken simultaneously	Right hand plain prints of the four fingers taken simultaneously

I certify that the above prints were taken in my presence and that they are the prints of the person named above.

Signature of registering officer,
(designation and date).

Slip prepared on by Rank District
Classified at Bureau by Date
Tested do Dated

C. T. REGULATION 4.

FORM D—*rule* 5 (To be attached to Form A).

Acknowledgment by the Finger Print Bureau.

Received the finger prints of C.T.R. No. of district.

Finger Print Bureau Serial No. with classification.

Signature of officer in charge,
Finger Print Bureau, with date.

To

The Superintendent of Police,
....District.

C. T. REGULATION 5.

FORM E.—*rule* 6.

Memorandum.

1. Name.
2. Father's Name.
3. Village.
4. Police Station District,

Name of the tribe and register No.

Declared under section of the C.T. Regulation.

You are hereby informed that under section 10 of the C. T. Regulation VII of 1916, as Government have passed orders requiring you to report yourself at such intervals as the District Magistrate may direct and to notify your place of residence and any intended changes therein, you are hereby directed

1. To report yourself to.....of the village at.....day (rule 13).

2. To inform the patel of your village if on account of illness you are unable to report yourself as required in paragraph (1) (rule 21).

3. To notify your permanent place of residence immediately if you are at liberty or within three days of

your release if you are in jail to the officer in charge of the police station within the limits of which your permanent place of residence is situated and also in case you are temporarily living within the limits of a different police station at the time of the service of this memorandum, to notify your permanent place of residence to the officer in-charge of that police station. (rule 15).

4. To appear in person at the police station within the limits of which you are living and inform the officer in charge not less than seven days before hand if you desire to change your residence permanently or to absent yourself from your home for one or more nights and travel beyond the limits of your home district, not less than three days before hand if you intend to absent yourself from your home for one or more nights and travel beyond the jurisdiction of the police station within the limits of which you are permanently residing but not outside the district and not less than one day before hand if you intend to absent yourself from your home for one or more nights and travel within the limits of the police station within the limits of which you permanently reside and on every such occasion to take a certificate in Form L notifying the date of your departure, the route you take, the places where you intend to halt at night and the period of your absence from home. (rule 16).

5. To report in person, during your said absence from home to the patel or the officer in charge of the police station wherever there is one, your arrival at and departure from the village or town and obtain signature in column 5 of the certificate in Form L and also to fulfil the requirements of any order under section 10 (1) (*a*). (rule 16).

6. To surrender the certificate in Form L to the officer in charge of the police station on the completion of the journey or the return journey according as the change of residence is permanent or temporary. (rule 16).

7. To permit the inspection of your home at any time by any magistrate or police officer not below the rank of a sub-Inspector and appear before any police officer of and above the rank of a constable of the police station within the limits of which you reside and also before the village patel who have been authorised to pay domiciliary visits at any time to verify your presence at

home and to give your thumb impression if required. (rules 11 and 12).

NOTE.—(1) In paragraph 4 absence for a night means absence from your home at any time between sunset and sunrise. (rule 16).

(2) If you fail to comply with any of the instructions contained above, or any other provisions contained in the rules or orders issued by Government under the Criminal Tribes Regulation you will be liable for prosecution under section 23 of the Regulation.

District Magistrate,

.....District.

FORM F

[*rule* 6.]

IDENTIFICATION ROLL.

[First page.]

(This should be in a book form of white sheets $8\frac{1}{2}'' \times 6\frac{1}{2}''$ with linen cover.)

Ten leaves to be left for movements, pages to be ruled.

[Second page.]

Identification roll of members of criminal tribes.

1. Tribe.
2. C. T. R. No.
3. District.
4. Name and aliases with father's or husband's name.

[Third page.]

5. Description, age with year and identification marks.
6. Left thumb impression.
7. Signature and designation of issuing officer with date.
8. Losses of identification roll to be noted here with dates.

[Fourth page.]

RECORD OF MOVEMENTS.

All occasion of reporting under section 10 (1) (*a*) or 10 (1)(*b*) will be entered.

Date	Village or police Station	Signature of the patel or station house officer

C. T. REGULATION 7.

FORM G—*rule* 7.

Acknowledgment of Forms E and F.

Received from..... Memorandum (Form E) and the identification roll (Form F) and the contents of the same have been explained to me.

Date.

Signature and designation of the delivering officer.

Left thumb impression of the member, name and C. T. R. No.

C. T. REGULATION 8.

FORM H—*rule* 9.

Removal Slip.

District..... Tribe.....

1. Serial number (with letters to denote district and tribe prefixed).
2. C. I. D. gang number and serial number, if any.
3. Name (with aliases and nicknames).
4. Residence.
5. District to which forwarded and date.

Space in which to paste receipt (Form I).

C. T. REGULATION 9.

FORM I—*rule* 9.

(Acknowledgment of Form "A").

Received from the Superintendent of Police,.....district. Register sheet (Form A) of (Name)

C. T. R. No. (with letters to denote district and tribe prefixed) with Form D attached thereto.

He has been assigned C. T. R. no. in this district.

Superintendent of Police,

District.....Date.....

To

The Superintendent of Police,

..... District.

FORM J—*rules* 14 *and* 24.

Register of members of the criminal tribe.....required to report themselves under rule 13 or 24 and their attendance for the month of.....193

rea to which restricted, if any.

lumber and date of notification.

illage..... Station..... Taluk.....

C. T. R. No.	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Remarks

C. T. REGULATION—11.

FORM K—*rule* 15.

Register of members of criminal tribes required to notify place of residence and any change or intended change of residence.

1. Serial number (with letters to denote district and tribe prefixed).

2. Name (with aliases and nicknames).

3. $\frac{\text{Father's}}{\text{Husband's}}$ name with aliases.

4. Residence.

5. Description, estimated age, identifying marks, sex, etc.

Movements on pass.

Date	To what place	Remarks

FORM L—*rule* 17.

Certificate acknowledging receipt of notice under section 10 (1) (*b*) of the Criminal Tribes Regulation No. VII of 1916.

Received from

notice that

a registered member of the criminal tribe of

intends leaving this place on
to reside in in the limits of

.....Police Station.

Left thumb impression

Date. Police Station. Signature of the S. H. O. or person prescribed under rule 23 of rules under the Criminal Tribes Regulation.

All entries to be made on the back and front of the 3 counterfoils by *issuing officers* must be in ink and not in pencil.

(*To be printed on the back.*)

(1) C.T.R. number.

(2) Purpose of absence.

(3) Route and the time he will take in going to his destination.

(4) Route and the time he will take in returning to his village.

To be sent at once to the Patel of the village in the limits of which the member resides.

FORM L—*rule* 17.

COUNTERFOIL NO. 1.

Certificate acknowledging receipt of notice under section 10 (1)(*b*) of the Criminal Tribes Regulation No. VII of 1916.

Received from

notice that

a registered member of the criminal tribe of-

intends leaving this place on to reside in

.....in the limits of.....Police Station.

Left thumb impression

Date. Police Station.

Signature of the Station House Officer or person prescribed under rule 23 of rules under the Criminal Tribes Regulation.

(To be printed on the back).

(1) C.T.R. number and C.I.D. gang number.

(2) Purpose of absence.

(3) Route and the time he will take in going to his destination.

(4) Route and the time he will take in returning to his village.

To be sent at once by post to the station-house officer of the station of destination and to be returned by him to the issuing officer after verification of the member's arrival at the village of destination and departure therefrom.

FORM L—*rule* 17.

COUNTERFOIL NO. 2.

Certificate acknowledging receipt of notice under section 10 (1)(*b*) of the Criminal Tribes Regulation No. VII of 1916.

Received from
notice that
a registered member of the criminal tribe of
intends leaving this place on to reside in
in the limits of Police Station

Identification marks

Left thumb impression

Date. Police Station. Signature of the Station House Officer or person prescribed under rule 23 of the rules under the Criminal Tribes Regulation.

(To be printed on the back).

(1) C.T.R. number.

(2) Purpose of absence.

(3) Route and the time he will take in going to his destination.

(4) Route and the time he will take in returning to his village.

(5) Intervals at which member is bound to report under section 10 (1) (*a*).

(6) Report and signature of Station-House Officer of station of destination as to member's arrival, and departure.

To be given to a member reporting intention to go on a journey or to change his place of residence temporarily or permanently. Use a separate form for each person.

FORM L—*rule* 17.

COUNTERFOIL NO. 3.

Certificate acknowledging receipt of notice under section 10(1)(*b*) of the Criminal Tribes Regulation No. VII of 1916.

Received from

notice that

a registered member of the criminal tribe of

intends leaving this place on to reside in

.....in the limits of.....Police Station.

Identification marks

Left thumb impression

Date. Police Station. Signature of the Station House Officer or person prescribed under rule 23 of the rules under the Criminal Tribes Regulation.

The member should surrender the pass to the S. H. O. at the end of the journey if the change is permanent or on return journey if the change is temporary.

(To be printed on the back.)

(1) C.T.R. number.

(2) Purpose of absence.

(3) Route and the time he will take in going to his destination.

(4) Route and the time he will take in returning to his village.

(5) Signature of the authority to whom the report is made.

Date of reporting	Hours of reporting	Village of reporting	Signature of Station House Officer or village patel or person prescribed under rule 23 of rules under the Criminal Tribes Regulation.

(6) One clear mark of identification of the criminal tribe member.

C. T. REGULATION—13.

FORM F-1—*rule* 19.

Certified that a person calling himself.....
son of.....and whose description is given below, reported to me the loss of his identification roll, on the .....19 .

Description with identification marks.

C.T.R. No., if known, with district abbreviation.

Left thumb impression of the member

Place.

Date.

Officer in charge of the Police Station.

FORM M.—*rule* 25.

Roll of members of a restricted criminal tribe.....residing within the limits of..... police station.

Area to which restricted. No. and date of notifications of restriction.....

Sl. No.	No. in the C. T. Register	Name with aliases of the person required to report himself	Age	Sex	Father's or husband's name	At which intervals and when report should be made	Where living			Remarks
							Present	O. V.	In Jail	

NOTE.—One or more pages should be devoted to each tribe.

FORM N—*rule* 25.

Roll of Children between the ages of 14 and 15.

Sl. No.	Residence	Name	Name of parent or guardian with C. T. R. No.	Date of entry in the register	Remarks showing disposal

NOTE.—One or more pages should be devoted to eac tribe.

For File.

FORM O.

1. Serial No.
2. Name of the person taking the pass.
3. Criminal Tribes Register No.
4. Period.
5. Name of village or town to which he is permitted to go and address therein.
6. Purpose of journey.
7. The route he proposes to take.
8. Probable date of arrival at the village of destination.
9. Marks of identification.

Left thumb impression.

The pass is granted on the following conditions :—

1. The holder of the pass shall travel by the declared route.

2. He shall report himself to the patel of the village or the officer in charge of the police station, if there is one, at every village or town he halts on the journeys to and back from his destination as specified in the pass and obtain the signature of the person to whom he reports himself.

3. On arrival and during his stay in the village or town of his destination he shall report himself daily at.....to the patel of the village or town or to the officer in charge of the police station, if there is one, and obtain his signature on the reverse of the pass.

4. He shall show his pass to any magistrate or police officer or patel who may demand its production.

5. On return to his village he shall surrender the pass to the authority that granted it.

6. Breach of any of these conditions will entail prosecution under section 23 (1) of Regulation VII of 1916.

MOVEMENTS.

Village	Date		Signature of the patel or other person to whom he has reported himself
	Arrival	Departure	

To be sent to the local Police Station.

FORM O.

1. Serial No.
2. Name of the person taking the pass.
3. Criminal Tribes Register No.
4. Period.
5. Name of village or town to which he is permitted to go and address therein.
6. Purpose of journey.
7. The route he proposes to take.
8. Probable date of arrival at the village of destination.
9. Marks of identification.

Left thumb impression.

The pass is granted on the following conditions :—

1. The holder of the pass shall travel by the declared route.

2. He shall report himself to the patel of the village or the officer in charge of the police station, if there is one, at every village or town he halts on the journeys to and back from his destination as specified in the pass and obtain the signature of the person to whom he reports himself.

3. On arrival and during his stay in the village or town of his destination he shall report himself daily at.....to the patel of the village or town or to the officer in charge of the police station, if there is one, and obtain his signature on the reverse of the pass.

4. He shall show his pass to any magistrate or police officer or patel who may demand its production.

5. On return to his village he shall surrender the pass to the authority that granted it.

6. Breach of any of these conditions will entail prosecution under section 23(1) of Regulation VII of 1916.

MOVEMENTS.

Village	Date		Signature of the patel or other person to whom he has reported himself
	Arrival	Departure	

To be given to the Criminal Tribe member.

FORM O.

1. Serial No.
2. Name of the person taking the pass.
3. Criminal Tribes Register No.
4. Period.
5. Name of village or town to which he is permitted to go and address therein.
6. Purpose of journey.
7. The route he proposes to take.
8. Probable date of arrival at the village of destination.
9. Marks of identification.

Left thumb impression.

The pass is granted on the following conditions :—

1. The holder of the pass shall travel by the declared route.

2. He shall report himself to the patel of the village or the officer in charge of the police station, if there is one, at every village or town he halts on the journeys to and back from his destination, as specified in the pass and obtain the signature of the person to whom he reports himself.

3. On arrival and during his stay in the village or town of his destination he shall report himself daily at.....to the patel of the village or town or to the officer in charge of the police station, if there is one, and obtain his signature on the reverse of the pass.

4. He shall show his pass to any magistrate or police officer or patel who may demand its production.

5. On return to his village he shall surrender the pass to the authority that granted it.

6. Breach of any of these conditions will entail prosecution under section 23(1) of Regulation VII of 1916.

MOVEMENTS.

Village	Date		Signature of the patel or other person to whom he has reported himself
	Arrival	Departure	

FORM P.

Certificate of exemption under rule 30 for members of criminal tribes registered under section 12 or 13 of Regulation VII of 1916.

Name	Father's name	Tribe	Residence	Employment for which granted

Certificate of exemption under rule 30 for members of criminal tribes registered under section 12 or 13 of Regulation VII of 1916.

Name	Father's name	Tribe	Residence	Employment for which granted

.....

Signature of the Officer.

IV—f

FORM Q—*rule 35a.*

Roll of members of criminal tribes in the settlement at.....

District gang number and letter	Personal number in criminal tribes register	Name with aliases	Father's / Husband's name	Age and sex	Date of admission into the settlement	Where living				Date of removal from settlement	Remarks
						Present in settlement	Out of view	In jail	Permitted to live outside the settlement with the period for which such permission is granted		

FORM R.—*rule 35b.*

Register of juvenile members ( ) of criminal tribes in the settlement at .....

Serial number	Name	Names of parents or guardians with number and district letter of gang and personal number in C. T. R.	Sex	Approximate date of birth	Date of entry in the register	Remarks showing disposal

(To be retained by the Manager).

FORM S.

(RULES 37 and 38)

Leave pass from.....Settlement

Gang, district number and letter

Personal C. T. R. number

Name

To

Via

To return on

Marks of identification

Left thumb impression

(To be sent to station-house officer)

FORM S.

(RULES 37 and 38).

Leave pass from.....Settlement

Gang, district number and letter

Personal C. T. R. number

Name

To

Via

To return on

The grant of this pass is subject to the following conditions:—

1. The holder of the pass shall travel by the route specified therein and by no other route.
2. The holder shall report himself to the patel of every village in which he halts over night and obtain his signature on the reverse. If there is a police station at the place where he halts, he will report there and not to the patel of the village.
3. On arrival at his destination, the holder shall at once report himself to the patel of the village who will report the arrival to the officer in charge of the police station within the limits of which the village lies and note this fact on the reverse of the pass.
4. The pass should be shown to any Magistrate or Police officer (not below the rank of a station-house officer) who demands its production.
5. On return to the settlement, the pass should be immediately handed over to the Manager or the Assistant Manager if previously authorised in this behalf by the District Magistrate.

Breach of any of the conditions will render the offender liable to punishment under rule 44 and liable to prosecution under section 23 (1) of the Criminal Tribes Regulation (VII of 1916).

Marks of identification

Left thumb impression

(*Back Movements*).

(To be given to criminal tribe member)

FORM S.

(RULES 37 and 38).

Leave pass from.....Settlement

Gang, district number and letter

Personal C. T. R. number

Name

To

Via

To return on

The grant of this pass is subject to the following conditions:—

1. The holder of the pass shall travel by the route specified therein and by no other route.
2. The holder shall report himself to the patel of every village in which he halts over night and obtain his signature on the reverse. If there is a police station at the place where he halts, he will report there and not to the patel of the village.
3. On arrival at his destination, the holder shall at once report himself to the patel of the village who will report the arrival to the officer in charge of the police station within the limits of which the village lies and note this fact on the reverse of the pass.
4. The pass should be shown to any Magistrate or Police officer (not below the rank of a station-house officer) who demands its production.
5. On return to the settlement, the pass should be immediately handed over to the Manager or the Assistant Manager if previously authorised in this behalf by the District Magistrate.

Breach of any of the conditions will render the offender liable to punishment under rule 44 and liable to prosecution under section 23 (1) of the Criminal Tribes Regulation (VII of 1916).

Marks of identification

Left thumb impression

(*Back Movements*).

P. T. O.

MOVEMENTS.

Name of police station or village	Date		Signature of station-house officer or the patel of the route villages specified in the pass
	Arrival	Departure	

MOVEMENTS.

Name of police station or village	Date		Signature of station-house officer or the patel of the route villages specified in the pass
	Arrival	Departure	

FORM P-1—*Rule* 46.

Pass to reside outside.....Settlement.

1. District number and letter of gang
2. Personal C. T. R. number
3. Name
4. To reside in
5. For the period from

to

until further orders.

Left thumb impression

I.

The grant of this pass shall be subject to the condition that the person to whom this pass is granted shall reside at the place specified above and shall not leave such place without the written permission of his employer or his employer's agent or of the District Superintendent of Police of .....He shall be punctual and regular in attendance at work and shall lead an honest and industrious life.

Note.—If from sickness or other cause he wishes to leave the said place, he shall apply to the District Superintendent of Police of ..... for permission to return to the settlement at .....

This clause is applicable only to those who are leaving the settlement for definite employment elsewhere.

or II.

The grant of this pass shall be subject to the condition that the person, to whom it is granted, shall proceed to, and reside at, the place specified above, shall not leave such place without the written permission of the patel of the village or of the station-house officer for absence up to fifteen days and of the District Superintendent of Police of.....for longer periods, shall report his arrival in, or departure from, such place to the patel of the village thereof or the station-house officer and shall lead an honest and industrious life.

This clause is applicable only to those who are permitted to reside outside the settlement on account of good behaviour.

or III.

The grant of this pass shall be subject to the condition that the person to whom this pass is granted shall reside at the place and for the period specified above and shall not leave such place without the written permission of .....

This clause is applicable only to those lepers in settlements transferred to an asylum at their wish.

Any breach of the provisions under which the pass is granted shall be punishable under section 23 of the Criminal Tribes Regulation VII of 1916.

The conditions not required should be struck out.

FORM T—*rule* 50.

Attendance register of members of criminal tribes in.....Settlement

month of.....193 .

District gang number and letter and personal C. T. R. number	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Remarks

FORM U—*rule* 50.

Members of criminal tribes granted leave and Form P-1 Passes.

District gang number and letter and personal C. T. R. number	Name	Period of leave granted or of permission to live outside		Actual date of return	Remarks
		From	To		

FORM V—*rule* 50.

Register of births of members of criminal tribes in.....Settlement.

Serial Number	Date of birth	Names of parents of the child with number and district letter of gang and personal C. T. R. number	Sex of child	Name of the child	Remarks

FORM W—*rule* 50.

Register of deaths of members of criminal tribes in .....Settlement.

Serial number	Date of occurrence	Name of the deceased with number and letter of district gang and personal C. T. R. number, if any	Name of parents or husband with number and letter of district gang and personal C. T. R. number in case of registered persons	Sex	Age	Cause of death	Remarks
					Yrs.		

FORM X--*rule* 50.

Register of members of criminal tribes absent without leave from.....Settlement.

Number and district letter of gang and personal C. T. R. number	Name	Date of absence	Date of return	Date on which arrested	Action taken against the absentee	Remarks

FORM Y—*rule* 50.

Register of members of criminal tribes removed from the.....Settlement.

Serial number	District gang number and letter and personal C. T. R. number	Name	Sex	Age	Date of admission	Date of removal	Reasons for removal	Authority ordering the removal	Remarks
				Yrs.					

FORM Z—*rule* 50.

Register of punishments of members of criminal tribes in the..... ....Settlement.

Sl. No.	District gang number and letter and personal C. T. R. number	Name	Offence	Details of punishment	Date of punishment	Remarks

FORM—*rule* 50.

List of visitors to the members of criminal tribes in .....Settlement.

Sl. No.	Name of Visitor	Father's name	Village from which arrived	Date of arrival	Date of departure	Purpose of visit

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PART IV

Legislative measures and Rules thereunder.

NOTIFICATION.

No. L. 8151—*V. P.* 44-32-20, *Bangalore, dated 12th May* 1934.

The following draft of an amendment to the rules issued with Notification No. 4347—L. B. 26-26-126, dated 6th January 1927 which the Government propose to make, in exercise of the powers vested in them under Section 65 of the Village Panchayet Regulation, 1926, is published for the information of all persons likely to be affected thereby. All objections to the amendment which may be received up to the 1st June 1934 will be considered by Government.

AMENDMENT.

In clause (b) (i) of Rule 8 of the said rules, the word 'Government' occurring in line 1 shall be replaced by the following :—

'the Government of Mysore or the Government of India'

By Order,
M. VENKATANARANAPPA,
Secretary to Government,
Development Department.

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Regd. No. M.—1175.

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PART IV

Legislative measures and Rules thereunder.

NOTIFICATIONS.

Order No. P. 5336—*Legis.* 44-33-1, *dated Bangalore,* 21*st May* 1934.

Ordered that the accompanying Regulation to provide for the Imposition and Collection of an Excise Duty on Matches, which received the assent of His Highness the Maharaja, on the 16th day of May 1934, be published as Emergency Regulation No. I of 1934, in the *Mysore Gazette* Extraordinary for general information.

S. ABDUL WAJID,
Secretary to Government,
General Department.

EMERGENCY REGULATION I OF 1934.

(RECEIVED THE ASSENT OF HIS HIGHNESS THE MAHARAJA ON THE SIXTEENTH DAY OF MAY 1934.)

A Regulation to provide for the Imposition and Collection of an Excise Duty on Matches.

WHEREAS an emergency has arisen which makes it necessary to impose an excise duty on matches and to provide for the collection thereof; Now therefore under Section 12 of the Mysore Legislative Council Regulation, 1923, It is hereby enacted as follows :—

Short title and extent.

1. (1) This Regulation may be called the Matches (Excise Duty) Emergency Regulation, 1934.

(2) It shall come into force at once.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context,

(*a*) "manufactory" means any premises wherein matches are manufactured;

(*b*) "match" includes a firework in the form of a match; and, where a match-stick contains more heads than one capable of being ignited by striking, each such head shall be deemed to be a match;

(*c*) "owner" includes any person expressly or impliedly authorised by an owner of a manufactory to be his agent in respect of the manufactory;

(*d*) "splints" means undipped splints such as are ordinarily used for making matches; and

(*e*) "veneers" means veneers such as are ordinarily used for making match-boxes.

Imposition of duty on matches.

3. A duty of excise at the rates specified in section 4 shall be levied on all matches manufactured in any manufactory in Mysore and issued out of such manufactory after the coming into force of this Regulation and shall be payable by the owner of the manufactory.

Rates of duty on matches.

4. The duty payable under section 3 shall be levied at the following rates, namely :—

(*a*) on matches in boxes or booklets containing on an average not more than eighty—

(i) if the average number is forty or less, at the rate of one rupee per gross of boxes or booklets,

(ii) if the average number is more than forty but not more than sixty, at the rate of one rupee and eight annas per gross of boxes or booklets, and

(iii) if the average number is more than sixty, at the rate of two rupees per gross of boxes or booklets and,

(*b*) on all other matches, at such rate as the Government may prescribe.

Recovery of duty with penalty.

5. (1) If any duty payable under section 3 is not paid within the time fixed by rules made in that behalf under this Regulation, it shall be deemed to be an arrear, and the Government may, in lieu thereof, recover any sum not exceeding four times the amount of duty unpaid which it may in its discretion think it reasonable to require.

(2) An arrear of duty, or any sum recoverable in lieu thereof under this section, shall be recoverable as an arrear of land revenue and shall be recoverable in addition to, and not in substitution for, any other penalty incurred under this Regulation.

Issue of matches from manufactory.

6. No person shall issue any matches out of a manufactory, except in accordance with the provisions of rules made in that behalf under this Regulation, or, until such rules are made, in accordance with the general or special orders of the Government.

Power of Government to prohibit import of matches.

7. The Government may, by notification in the Official Gazette, prohibit absolutely, or with such exceptions as it thinks fit, the bringing of matches into Mysore from any territory outside Mysore.

Power of Government to direct use of banderols.

8. (1) The Government may, by notification in the Official Gazette, direct that after a date to be specified in the notification no matches manufactured after the date of the issue of the notification shall be issued from a manufactory in Mysore except in packets, boxes or booklets bearing a banderol or stamp of such nature and affixed in such manner as may be prescribed by rules made under this Regulation.

(2) The Government may by a like notification, direct that, after a date to be specified in the notification, no matches shall be sold or offered or kept for sale in Mysore except in packets, boxes or booklets bearing such a banderol or stamp so affixed.

(3) The Government may exempt from the operation of any notification made under sub-section (1) matches intended for export from Mysore.

(4) The Government may exempt from the operation of any notification made under sub-section (2) matches of particular kind or packed in a particular manner.

Prohibition of manufacture of matches and manufacture and import of splints and veneers.

9. From such date as may be fixed by the Government by notification in the Official Gazette in this behalf—

(*a*) no person shall manufacture matches or splints or veneers in Mysore except under and in accordance with a license to manufacture issued under this Regulation;

(*b*) no person shall import splints or veneers into Mysore except under and in accordance with a license to import; and

(*c*) no person shall supply splints or veneers to any person who does not possess a license to manufacture matches issued under this Regulation nor otherwise than in such manner as may be prescribed by rules made under this Regulation.

Penalty for issue of matches from manufactory in contravention of section 6.

10. Whoever contravenes the provisions of section 6 shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Penalty for import of matches in contravention of Regulation.

11. (1) Whoever, in contravention of any notification made under section 7, imports, or attempts to import, matches into Mysore shall be punishable with imprisonment which may extend to six months, or with fine which may extend to four times the amount of the duty which would be payable on the matches if they were liable to duty in Mysore or to one thousand rupees, whichever is greater, or with both imprisonment and fine.

(2) Whoever abets an offence punishable under sub-section (1) shall, whether such offence is or is not committed in consequence of such abetment, and notwithstanding anything contained in section 116 of the Indian Penal Code as in force in Mysore, be punishable with the punishment provided for the offence.

Penalty for issue or sale of matches without banderol.

12. (1) Whoever, in contravention of a direction made under sub-section (1) of section 8, issues any matches from any manufactory, shall be punishable with

imprisonment which may extend to six months, or with fine which may extend to one thousand rupees or to one rupee for every packet, box or booklet of matches in respect of which an offence has been committed, whichever is greater, or with both imprisonment and fine.

(2) Whoever, in contravention of any direction made under sub-section (2) of section 8 sells or offers or keeps for sale any matches shall be punishable with fine which may extend to one thousand rupees or to one rupee for every packet, box or booklet of matches in respect of which an offence has been committed, whichever is greater.

Penalty for manufacture of matches and manufacture and import of splints and veneers without license.

13. Whoever in contravention of the provisions of section 9 manufactures matches or splints or veneers or imports splints or veneers into Mysore or supplies splints or veneers to any person shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees, or with both.

Penalty for evasion of duty or failure to supply information.

14. Whoever evades, or attempts to evade, the payment of any duty payable by him under this Regulation, or fails to supply any information which he is required under this Regulation or the rules to supply, or knowingly supplies false information, shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

Power of Courts to order forfeiture of matches, splints or veneers.

15. Any court trying an offence under this Regulation may order that any matches, splints or veneers together with the boxes, packing or wrappings thereof, in respect of which the court is satisfied that an offence under this Regulation has been committed, shall be forfeited to the Government.

Power of Government to make rules.

16. (1) The Government may, by notification in the Official Gazette, make rules to carry into effect the purposes and objects of this Regulation.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may—

(*a*) prescribe the rate of duty referred to in clause (b) of section 4;

(*b*) provide for the assessment and collection of the duty and the authorities by whom functions under this Regulation are to be discharged, the issue of notices requiring payment, the manner in which the duty shall be payable, and the recovery of arrears;

(*c*) provide for the distinguishing of matches, splints or veneers which have been manufactured under

licence, of splints or veneers which have been imported under licence and of matches on which duty has been paid, or which are exempt from duty under this Regulation;

(*d*) regulate the issue of matches out of any manufactory and limit the number of matches which may be contained in a box or booklet;

(*e*) impose on the owners of manufactories and on persons engaged in the sale of matches, the duty of furnishing information, keeping records and making returns, and prescribe the nature of such information and the form of such records and returns, the particulars to be contained therein, and the manner in which they shall be verified;

(*f*) provide for the issuing of licenses, the form and the conditions of licenses, and the fees to be charged therefor;

(*g*) regulate the sale of splints and veneers;

(*h*) provide for the detention of matches for the purpose of exacting the duty, the confiscation, otherwise than under section 15, of matches, splints or veneers in respect of which breaches of the Regulation or Rules have been committed, and the disposal of matches, splints or veneers so detained or confiscated;

(*i*) authorize and regulate the inspection or search of any place or conveyance used for the manufacture, storage or carriage of matches, splints or veneers;

(*j*) authorize and regulate the composition of offences against, or liabilities incurred under, the Regulation and Rules including composite payments in lieu of duty; and

(*k*) prescribe the nature of and the manner of affixing banderols or stamps.

(3) In making any rule under this section the Government may provide that a breach of the rule shall, where no other penalty is provided by this Regulation, be punishable with imprisonment for any term not exceeding six months, or with fine not exceeding one thousand rupees, or with both imprisonment and fine.

Power of Government to provide for rebate of duty.

17. The Government may, by notification in the Official Gazette, make rules to provide for the grant of a rebate of the duty payable under section 3 on matches manufactured in any manufactory whose daily output

does not exceed one hundred gross of boxes to the following extent, namely:—

(i) where the average number of matches in a box or booklet is forty or less, a rebate of ten pies per gross of boxes or booklets;

(ii) where the average number of matches in a box or booklet is more than forty but not more than sixty, a rebate of one anna and three pies per gross of boxes or booklets; and

(iii) where the average number of matches in a box or booklet is more than sixty, a rebate of one anna and eight pies per gross of boxes or booklets.

MIRZA M. ISMAIL,
Dewan.

No. 5078 L. C., Bangalore, dated 21st May 1934.

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to provide for the fostering and development of the Sugar Industry and for safeguarding Sugar-cane cultivators in Mysore is published for general information with the statement of Objects and Reasons.

By Order,
C. SUBRAHMANYA AIYAR,
Secretary,
Mysore Legislative Council.

A BILL TO PROVIDE FOR THE FOSTERING AND DEVELOPMENT OF THE SUGAR INDUSTRY AND FOR SAFEGUARDING SUGAR-CANE CULTIVATORS IN MYSORE.

Preamble. WHEREAS it is expedient to provide for the fostering and development of the sugar industry in Mysore, to take power for the purpose of controlling and regulating factories engaged in the manufacture of sugar and for the

safe-guarding of the interests of sugar-cane growers and cultivators; It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Regulation may be called the Sugar Industries Safeguarding Regulation, 193 .

(2) It extends to the whole of Mysore.

(3) It shall come into force in such local areas and from such dates, as the Government may, by notification in the official Gazette, direct.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context,—

(*a*) 'sugar factory' means any factory as defined in the Mysore Factories Regulation, 1914, in which sugar is manufactured and wherein not less than twenty persons are simultaneously employed on any one day in the year;

(*b*) 'license' means a license granted under this Regulation and 'licensed' and 'licensee' have corresponding meanings; and

(*c*) 'prescribed' means prescribed by rules made under this Regulation.

Definition of sugar.

3. The Government may, by general or special order, declare for the purposes of this Regulation what articles or substances containing any saccharine matter shall be deemed to be sugar.

Licensing manufacture of sugar.

4. (1) It shall be lawful for the Government to grant to any person or persons on such conditions and for such periods as may seem fit licenses for the manufacture of sugar.

(2) Such conditions may prescribe among other things the place where the factory is to be located, the area within which the operations of the factory should extend and the price or prices at which the factory shall purchase sugar-cane.

(3) The Government shall have the power to frame rules for fixing the price or prices at which sugar-cane shall be purchased by a factory.

Prohibition against the establishment and maintenance of factories without a license.

5. (1) It shall not be lawful for any person after the expiration of three months from the coming into force of this Regulation to carry on the business of manufacturing sugar except under the authority and subject to the terms and conditions of a license granted in accordance with the provisions of this Regulation.

(2) The decision of the Government whether or not a license may be granted shall be final.

Power to require information and for inspection of documents.

6. (1) The Government may by general or special order require the applicant for a license or a licensee or any person who, being a director, partner, proprietor, manager or officer of, any factory, is able to give any information as to the constitution, control or management of the factory or the business carried on in the factory, to furnish such information within such time as may be specified in the order.

(2) Any person authorised by the Government in this behalf may, for the purpose of verifying or obtaining information of the nature referred to in sub-section (1), inspect any books and documents belonging to or under the control of such factory, the inspection of which may be reasonably required for the said purpose.

Power to make rules requiring returns.

(3) The Government may by notification in the official Gazette, make rules requiring the owners of sugar factories in Mysore to make such returns relating to the production of sugar in their factories as the Government may consider to be desirable, prescribing the form of such returns, the dates of their submission and the authority to which they shall be submitted.

Penalties.

7. (1) Whoever contravenes the provisions of section 5 shall be punishable with fine which may extend to one thousand rupees and in the case of a continued contravention with a further fine which may extend to one hundred rupees for every day during which the contravention is continued after conviction therefor.

(2) Any person who.—

(*a*) refuses or neglects to furnish any information which by an order under section 6 is required to be furnished within the time specified in such order or knowingly furnishes any such information which is false in any material particulars,

(*b*) having the custody of any book or document which a person is authorised to inspect under section 6 refuses or neglects to produce the book or document for inspection, or

(*c*) fraudulently uses or permits to be fraudulently used any license issued under this Regulation,

shall be punishable with fine which may extend to two hundred rupees.

(3) Where the person guilty of an offence under this Regulation is—

(*a*) an association or firm, every partner, member, manager or secretary and other officer thereof who is knowingly a party to the default, and

(*b*) a company, every director, manager, secretary and other officer thereof who is knowingly a party to the default,

shall also be guilty of the like offence and liable to the like punishment.

Delegation of powers.

8. Government may delegate to the District Magistrate or other officer of the Government the right to exercise any powers vested in the Government by this Regulation.

Trial of offences.

9. (1) No offence made punishable by this Regulation or by any rule made thereunder shall be tried by a court inferior to that of a Magistrate of the First Class.

(2) Prosecutions under this Regulation shall not be instituted except under the authority of a District Magistrate.

Bar of suit where acts are done in good faith.

10. No suit or other legal proceedings shall be instituted against any person in respect of anything which is in good faith done or intended to be done under this Regulation.

Power to make rules.

11. (1) The Government may make rules for the purpose of carrying into effect the provisions of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing provisions such rules shall provide for—

(*a*) the levying of fees in respect of licenses granted under this Regulation,

(*b*) the conditions and limitations subject to which a license may be granted,

(*c*) the manner of fixing the prices at which sugarcane shall be purchased by a factory, and,

(*d*) any matter which under this Regulation may be prescribed.

(3) Any rule made under this Regulation may provide that any contravention thereof or any of the conditions of the license issued or renewed thereunder shall be punishable with fine which may extend to two hundred rupees.

Statement of Objects and Reasons.

In view of the growth of sugar-cane cultivation in recent years and the increasing stimulus to the establishment of sugar factories, it is found necessary to take steps for the orderly development of sugar-cane production and of methods of securing the co-operation between the sugar-cane grower and the factory owner. As the area under sugar-cane in Mysore will largely increase, especially in the Irwin Canal Area, need is likely to arise in the near future for more factories. Government have therefore considered it desirable that some control should be exercised over the establishment of factories for ensuring that the industry is organised as far as possible on lines which would make for its stability and for proper co-ordination of the interests of its agricultural and manufacturing sides and preventing unhealthy competition. The measures considered necessary for such control are principally the licensing of factories and the fixation of a minimum price at which sugar-cane shall be purchased by a factory, thus ensuring to agriculturists a reasonable price for their cane.

How many factories should be established in a particular tract and where they should be erected are matters of vital importance in the interests of both agriculture and manufacture, and over-crowding of factories with all its consequences, has to be prevented. The tariff on foreign sugar was imposed by the Government of India primarily to help the cane grower and it is an important duty of Government to intervene to see that the cane grower gets a reasonable value for his produce and that the benefit of the tariff reaches him. Since the factories also get the benefit of the protection, Government should have statutory power to demand the submission of information from the factories regarding their working.

To secure these objects, Government consider it expedient to introduce legislation for the fostering and development of the sugar industry in Mysore, to take power for the purpose of controlling and regulating factories engaged in the manufacture of sugar and for the safeguarding of the interests of sugar-cane growers and cultivators.

It is proposed to prohibit the establishment and maintenance of factories without license and empower the Government to license factories and to prescribe conditions in respect of the place where the factory is to be located, the area of its operation and the price or prices at which the factory should purchase the sugar-cane. Penalties are provided for contravention of the provisions of this measure. Certain safeguards are also provided, such as previous sanction for prosecution under this law and the trial of cases thereunder by a First Class Magistrate.

No. D. 5702—*I. & C.* 265-33-5, *dated* 22*nd May* 1934.

In exercise of the powers conferred by Sections 16 and 17 of the Matches (Excise Duty) Emergency Regulation, I of 1934 the Government of His Highness the Maharaja are pleased to make the following rules for the purpose of providing for the assessment and collection of the duty imposed by the said Regulation, and for control over the manufacture, importation and supply of veneers and splints.

CHAPTER I.

SHORT TITLE AND DEFINITIONS.

1. These Rules may be called "The Matches (Excise Duty) Rules, 1934."

2. In these Rules unless there is anything repugnant in the subject or context :—

(*i*) "the Regulation" means the Matches (Excise Duty Emergency) Regulation, 1934;

(*ii*) "Deputy Commissioner" means the chief officer-in-charge of the revenue administration of a district and includes any officer specially authorised to exercise throughout any specified area all or any of the powers of a Deputy Commissioner under these rules;

(*iii*) "Inspecting Officer" means any officer of Government authorised by the Deputy Commissioner to inspect any premises in which matches liable to duty or splints or veneers are possessed or manufactured; and includes any officer permanently stationed at any such premises;

(*iv*) "Duty" means the duty payable under the Regulation.

CHAPTER II.

MANUFACTURE OF MATCHES.

3. The Deputy Commissioner may issue to any person, firm or company, being the owner of a manufactory, a license in Form A appended to these Rules to manufacture matches.

Provided that the holder of such a license shall not, without the sanction of the Government, be given a license in respect of any other manufactory within the same district.

4. The holder of a license in Form A may manufacture matches subject to the conditions of his license.

5. The position of the premises covered by a license to manufacture matches shall be clearly described in the license and the licensee shall manufacture matches within the premises therein described and not elsewhere.

6. Every holder of a license in Form A shall keep a correct daily account in the form prescribed in the license.

7. Within five days after the close of each month, every holder of a license in Form A shall submit to the Deputy Commissioner a monthly return in Form B appended to these Rules showing the number of boxes of matches removed from the manufactory during that month.

8. On receipt of the return referred to in clause 7, the Deputy Commissioner shall, after verification of the return of exports, if any, to places outside Mysore and such other enquiry as he may deem fit, assess the duty payable on matches removed from the manufactory. If the licensee fails to submit a return, the Deputy Commissioner may make a summary assessment on such information as may be available. The amount assessed shall be communicated to the licensee who shall pay it into the Treasury by the end of the month following that for which the return was required to be made.

9. The Deputy Commissioner or Inspecting Officer may enter the premises of any holder of a license in Form A and inspect the license, the building, the machinery, the stocks of matches and of materials for use in manufacturing matches and the accounts.

10. A licensee shall not transfer his license or sublet the licensed premises to any other person without the permission in writing of the Deputy Commissioner.

11. Any licensee who fails to keep a correct daily account or refuses to permit any authorised officer to enter the licensed premises and inspect the license, building, machinery, stocks and accounts or transfers the license or sublets the licensed premises to any other person without the permission of the Deputy Commissioner, shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

CHAPTER III.

REFUNDS AND REMISSIONS.

12. Any person who exports from Mysore to any place outside India matches on which duty has been paid under the Regulation, shall, on production of satisfactory evidence before the Deputy Commissioner that the matches have been so exported and that the duty has been paid in respect of these matches, receive a refuud of that duty. If the exporter is the owner of the manufactory in which the matches were made, such refund may be paid, at the discretion of the Deputy Commissioner, either in cash or by set off against duty due from such exporter.

13. The Government may, by notification in the Official Gazette exempt any matches from the whole or any part of the duty leviable thereon.

CHAPTER IV.

MANUFACTURE AND IMPORTATION OF SPLINTS AND VENEERS.

14. A license in Form A shall be deemed to authorize the holder thereof to manufacture splints and veneers to be used in the manufacture within his own manufactory of matches and match boxes.

15. The Deputy Commissioner may issue to any holder of a license in Form A, a license in Form C appended to these Rules to manufacture splints and veneers for

use in the manufacture of matches in another manufactory and may likewise issue to any other person, firm or company a license in the same form to manufacture splints and veneers.

16. Any holder of a license in Form C. may manufacture splints and veneers subject to the conditions of his license.

17. The position of the premises covered by a license to manufacture splints and veneers shall be clearly described in the license and the holder of the license shall manufacture splints and veneers within the premises described therein and not elsewhere.

18. Every holder of a license in Form C. shall keep a correct daily account in the form prescribed in the license.

19. The Deputy Commissioner or Inspecting Officer may enter the premises of any holder of a license in Form C. and inspect the license, the building, the machinery, the stocks and the accounts.

20. The holder of a license in Form C. shall not transfer his license or sublet the licensed premises to any other person without the permission in writing of the Deputy Commissioner.

21. Any holder of a license in Form C. who fails to keep a correct daily account or refuses to permit any authorized officer to enter the licensed premises and inspect the license, building, machinery, stocks and accounts or transfers the license or sublets the licensed premises to any other person without the permission of the Deputy Commissioner, shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees or with both.

CHAPTER V.

MISCELLANEOUS.

22. The duty on matches to which clause (*b*) of Section 4 of the Regulation applies shall be at the rate of annas for every 1,440 matches or fraction thereof.

23. Every holder of a license in form A. or Form C. furnish such security as may be demanded by the uty Commissioner for the observance of the conditions s license and for the payment of duty.

24. The period of a license to manufacture matches or to manufacture splints and veneers or to import splints and veneers shall be from 1st July in any year or any later date on which the license may be issued to the 30th June following.

25. There shall be a counterpart for each license and the Counterpart shall be in the same form as the license itself. The licensee shall, at the time his license is delivered to him, be required to sign the counterpart of his license in token of his acceptance of the conditions specified in the license.

26. A fee of rupees one hundred shall be payable for every license to manufacture matches or to manufacture splints and veneers or to import splints and veneers for each year or part of a year.

Provided that a license to manufacture splints and veneers shall be issued free on application to any holder of a license in Form A.

27. The Deputy Commissioner who grants a license under these Rules may cancel it in case of a breach of any of the conditions therein or of the Emergency Regulation or of the provisions of these Rules.

28. The Deputy Commissioner may permit the surrender of a license issued under these Rules on one month's written notice; and shall grant such refund, if any, of part of the fee paid for the year during which the license is surrendered as the Government may in each case determine.

29. Every holder of a license in Form A. shall, before the expiry, cancellation or surrender of his license, pay all the duty payable by him under the Emergency Regulation.

Provided that if the license is renewed on expiry the date on which payment is due shall be determined under clause 8.

30. An appeal shall lie from any order of the Deputy Commissioner to the Government.

31. No appeal under clause 30 shall be admitted unless received by the Government within three months of the date of the Deputy Commissioner's Order.

32. The Government may empower any officers any department under its control to search any p vessel, cart or means of conveyance for matches liab duty and to seize and remove or detain any matches w

may appear to them to have been illegally imported or manufactured.

33. The Deputy Commissioner may accept from any person whose property is liable to confiscation under the Emergency Regulation or who is reasonably suspected of having committed an offence under the Emergency Regulation or under the provisions of these Rules, a sum of money not exceeding one thousand rupees in lieu of confiscation of goods or of punishment for breach of any provision of these Rules.

34. If there is any doubt as to the average number of matches per box, the Deputy Commissioner may, after giving notice of his intention to the owner of the manufactory, determine this number by causing samples to be taken, of at least one box in every ten gross of boxes and causing the number in each sample so taken to be counted and the duty payable shall be assessed on the results of this sampling.

35. When duty has been short-levied through inadvertence, error, or misconstruction on the part of the Deputy Commissioner, or through misstatement as to quantity on the part of the owner of the manufactory;

or, when any such duty after having been levied has been, owing to any such cause, erroneously refunded, the person chargeable with the duty so short-levied or to whom such refund has erroneously been made, shall pay the deficiency or re-pay the amount paid to him in excess, on demand being made within three months from the close of the month in respect of which the duty shall have been levied or from the date of making the refund:

Provided that a person chargeable with duty short-levied as the result of an offence under the Emergency Regulation of which he has been convicted in Court shall pay the deficiency on demand being made at any time.

36. No duty which has been paid and of which repayment wholly or in part is claimed in consequence of the same having been paid through inadvertence, error or misconstruction shall be returned unless such claim is made within three months from the date of such payment.

By Order,

M. VENKATANARANAPPA,

Secretary to Government,
Development Department.

FORM A.

LICENSE FOR THE MANUFACTURE OF MATCHES.

(*Vide* Clause 3.)

District.....

Serial No. of License.....

Name of Licensee.....

Be it known that.....resident of..... is hereby authorized by the undersigned, Deputy Commissioner of .....to manufacture matches on the premises described in the Schedule attached.....from the date of this license to the 30th June 193 , after which, this license will cease to have effect.

It is required of the holder of this license as a condition of its remaining in force, that he duly and faithfully perform and abide by the following conditions :—

I. That he produce this license on demand by any Excise Officer not below the rank of Inspector, or by any Revenue Officer duly authorised by the Deputy Commissioner in this behalf.

II. That he permit inspection of the licensed premises, the machinery, the stocks and the accounts by any Excise Officer not below the rank of Inspector, or by any Revenue Officer duly authorized by the Deputy Commissioner in this behalf.

III. That he do not transfer or purport to transfer, this license, or sublet the licensed premises to any other person without the permission in writing of the Deputy Commissioner.

IV. That he keep correct daily accounts in the following form, separate accounts being maintained for—

(1) matches to which item (i) of clause (a) of section 4 of the Matches (Excise Duty) Emergency Regulation, 1934, applies,
(2) matches to which item (ii) of the said clause applies,
(3) matches to which item (iii) of the said clause applies, and
(4) matches to which clause (b) of the said section applies.

MATCHES MANUFACTURE ACCOUNT.

Date	Opening Balance	Quantity manufactured	Quantity removed from factory for consumption in Mysore	Quantity removed for export out of India	Quantity destroyed by accident	Closing Balance
1	2	3	4	5	6	7
Total						

V. That he furnish to the Deputy Commissioner within five days after the end of each calendar month a monthly return in Form B appended to the Matches (Excise Duty) Rules, 1934, showing the quantity of matches removed from the licensed premises, during the month.

VI. That he make payment into the Treasury by the due date of the amount of duty to which he is assessed by the Deputy Commissioner.

VII. That he observe all the provisions of the Matches (Excise Duty) Emergency Regulation, 1934, and of the Matches (Excise Duty) Rules, 1934, made thereunder.

This license may be cancelled by the Deputy Commissioner if any breach of the Matches (Excise Duty) Emergency Regulation, 1934, or of the Matches (Excise Duty) Rules, 1934, made thereunder, or of any of the abovementioned conditions is committed by the licensee or his partner or agent or any other person employed in the premises for which this license is granted.

Deputy Commissioner,

.....*District.*

.....*Licensee.*

Dated the.....

The Schedule above referred to.

District.....

Taluk.....

Town or Village.....

Boundaries of Manufactory—

North.....

South.....

East.....

West.....

FORM B.

MONTHLY RETURN TO BE SUBMITTED BY HOLDER OF LICENSE TO MANUFACTURE MATCHES.

(*Vide* Clause 7.)

Month..... 19

All figures to be in gross of boxes or booklets (if matches so packed).*

Opening Balance	Matches manufactured during the month	Quantity removed from factory for consumption in Mysore	Quantity removed from factory for export†	Quantity destroyed in factory	Closing Balance
1	2	3	4	5	6

* Separate entries to be made for each class of matches specified in items (i), (ii) and (iii) of clause (a) and in clause (b) of section 4 of the Matches (Excise Duty) Emergency Regulation, 1934.

†Details regarding exports shown in column 4.

1. ..... gross of boxes exported to ..... per ..... on .....
2. ..... gross of boxes exported to ..... per ..... on .....
3. ..... gross of boxes exported to ..... per ..... on .....
4. ..... gross of boxes exported to ..... per ..... on .....

SIGNATURE.....

Licensee.....

Dated the.....

Orders of Deputy Commissioner.

Duty of Rs. ....., on ..... gross of boxes, is hereby assessed and must be paid on or before ..... Inform assessee and enter in Revenue Registers.

Signature.....

Deputy Commissioner,

District.

Dated the .....

FORM C.

LICENSE FOR THE MANUFACTURE OF SPLINTS AND VENEERS.

(*Vide* Clause 15).

District.....

Serial No. of License.....

Name of License-holder.....

Be it known that..... resident of..... ...is hereby authorized by the undersigned, Deputy Commissioner of..... to manufacture splints and veneers on the premises described in the schedule attached.....from the date of this license to the 30th June 193 , after which the license will cease to have effect.

It is required of the holder of this license, as a condition of its remaining in force, that he duly and faithfully perform and abide by the following conditions :—

I. That he produce this license on demand by any Excise Officer not below the rank of an Inspector, or by any Revenue Officer duly authorised by the Deputy Commissioner in this behalf.

II. That he permit inspection of the licensed premises, the machinery, the stocks and the accounts by any Excise Officer not below the rank of an Inspector, or by any Revenue Officer duly authorised by the Deputy Commissioner in this behalf.

III. That he do not transfer, or purport to transfer, this license or sublet the licensed premises to any other person without the permission in writing of the Deputy Commissioner.

IV. That he keep correct daily accounts in the following forms, the entries in all columns except column (1) being in hundred weights, quarters and pounds avoirdupois :—

SPLINTS MANUFACTURE ACCOUNT.

Date	Opening balance	Quantity manufactured	Quantity supplied to licensed match manufacturers	Closing balance
1	2	3	4	5

VENEERS MANUFACTURE ACCOUNT.

Date	Opening balance	Quantity manufactured	Quantity supplied to licensed match manufacturers	Closing balance
1	2	3	4	5

V. That he issue no splints or veneers out of the licensed premises except to the holder of a license to manufacture matches.

VI. That he observe all the provisions of the Matches (Excise Duty) Emergency Regulation, 1934, and of the Matches (Excise Duty) Rules, 1934, made thereunder.

This license may be cancelled by the Deputy Commissioner, if any breach of the Matches (Excise Duty) Emergency Regulation, 1934, or of the Matches (Excise Duty) Rules, 1934, made thereunder, or of any of the abovementioned conditions is committed by the holder of the license or his partner or agent or any other person employed in the premises for which the license is granted.

Deputy Commissioner,

....District.

.....License-holder.

Dated the.....

The Schedule above referred to.

District.....

Taluk.....

Town or Village.....

Boundaries of Factory.....

North.....

South.....

East.....

West.....

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BANGALORE, THURSDAY, JUNE 7, 1934.

PART IV

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. R. 6097—L. S. 71-33-4, dated Bangalore, 31st May—1st June 1934.

Under Section 17 (1) of the Record of Rights Regulation X of 1927, the following draft amendment to Rule 26 of the Rules under the said Regulation is published for the information of all persons likely to be affected thereby. Objections may be communicated to the General Secretary to Government (Revenue Department), so as to reach him within one month from the date of this Notification, after which date the draft amendments will be taken up for final consideration :—

Add the following as "26 A" after Rule 26 of the Record of Rights Rules.

"All applications for rectification of entries after the publication of the Final Record of Rights under Section 4 (2) of the Record of Rights Regulation may be presented to the Amildar or the Deputy Amildar who will dispose of such applications.

Provided that in cases where the entry relates to the measurement of a hissa or the distribution of assessment, the Amildar or the Deputy Amildar shall invariably consult the District Survey Officer before disposing of such applications."

By Order,
S. ABDUL WAJID,
Secretary to Government,
General Department.

No. 5630—*L. C. dated,* 30*th May* 1934.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to provide for the Imposition and Collection of an Excise duty on Matches is published for general information with the statement of objects and reasons.

By Order,
C. SUBRAHMANYA AIYAR,
Secretary,
Mysore Legislative Council.

A Bill to provide for the Imposition and Collection of an Excise Duty on Matches.

Preamble.

Whereas it is expedient to provide for the imposition of an excise duty on matches and to provide for the collection thereof; It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Regulation may be called the Matches (Excise Duty) Regulation, 1934.

(2) It shall come into effect from the date of the expiration of the Matches Excise Duty Emergency Regulation, I of 1934.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context,

(*a*) "manufactory" means any premises wherein matches are manufactured;

(*b*) "match" includes a firework in the form of a match; and, where a match-stick contains more heads than one capable of being ignited by striking, each such head shall be deemed to be a match;

(*c*) "owner" includes any person expressly or impliedly authorised by an owner of a manufactory to be his agent in respect of the manufactory;

(*d*) "splints" means undipped splints such as are ordinarily used for making matches; and

(*e*) "veneers" means veneers such as are ordinarily used for making match-boxes.

Imposition of duty on matches.

3. A duty of excise at the rates specified in section 4 shall be levied on all matches manufactured in any manufactory in Mysore and issued out of such manufactory after the coming into force of this Regulation and shall be payable by the owner of the manufactory.

Rates of duty on matches.

4. The duty payable under section 3 shall be levied at the following rates, namely:—

(*a*) on matches in boxes or booklets containing on an average not more than eighty—

(i) if the average number is forty or less, at the rate of one rupee per gross of boxes or booklets,

(ii) if the average number is more than forty but not more than sixty, at the rate of one rupee and eight annas per gross of boxes or booklets, and

(iii) if the average number is more than sixty, at the rate of two rupees per gross of boxes or booklets and,

(*b*) on all other matches, at such rate as the Government may prescribe.

Recovery of duty with penalty.

5. (1) If any duty payable under section 3 is not paid within the time fixed by rules made in that behalf under this Regulation, it shall be deemed to be an arrear, and the Government may, in lieu thereof, recover any sum not exceeding four times the amount of duty unpaid which it may in its discretion think it reasonable to require.

(2) An arrear of duty, or any sum recoverable in lieu thereof under this section, shall be recoverable as an arrear of land revenue and shall be recoverable in

addition to, and not in substitution for, any other penalty incurred under this Regulation.

Issue of matches from manufactory.

6. No person shall issue any matches out of a manufactory, except in accordance with the provisions of rules made in that behalf under this Regulation, or, until such rules are made, in accordance with the general or special orders of the Government.

Power of Government to prohibit import of matches.

7. The Government may, by notification in the Official Gazette, prohibit absolutely, or with such exceptions as it thinks fit, the bringing of matches into Mysore from any territory outside Mysore.

Power of Government to direct use of banderols.

8. (1) The Government may, by notification in the Official Gazette, direct that after a date to be specified in the notification no matches manufactured after the date of the issue of the notification shall be issued from a manufactory in Mysore except in packets, boxes or booklets bearing a banderol or stamp of such nature and affixed in such manner as may be prescribed by rules made under this Regulation.

(2) The Government may by a like notification, direct that, after a date to be specified in the notification, no matches shall be sold or offered or kept for sale in Mysore except in packets, boxes or booklets bearing such a banderol or stamp so affixed.

(3) The Government may exempt from the operation of any notification made under sub-section (1) matches intended for export from Mysore.

(4) The Government may exempt from the operation of any notification made under sub-section (2) matches of particular kind or packed in a particular manner.

Prohibition of manufacture of matches and manufacture and import of splints and veneers.

9. From such date as may be fixed by the Government by notification in the Official Gazette in this behalf—

(*a*) no person shall manufacture matches or splints or veneers in Mysore except under and in accordance with a license to manufacture issued under this Regulation;

(*b*) no person shall import splints or veneers into Mysore except under and in accordance with a license to import; and

(*c*) no person shall supply splints or veneers to any person who does not possess a license to manufacture matches issued under this Regulation nor otherwise than

in such manner as may be prescribed by rules made under this Regulation.

Penalty for issue of matches from manufactory in contravention of section 6.

10. Whoever contravenes the provisions of section 6 shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Penalty for import of matches in contravention of Regulation.

11. (1) Whoever, in contravention of any notification made under section 7, imports, or attempts to import, matches into Mysore shall be punishable with imprisonment which may extend to six months, or with fine which may extend to four times the amount of the duty which would be payable on the matches if they were liable to duty in Mysore or to one thousand rupees, whichever is greater, or with both imprisonment and fine.

(2) Whoever abets an offence punishable under sub-section (1) shall, whether such offence is or is not committed in consequence of such abetment, and notwithstanding anything contained in section 116 of the Indian Penal Code as in force in Mysore, be punishable with the punishment provided for the offence.

Penalty for issue or sale of matches without banderol.

12. (1) Whoever, in contravention of a direction made under sub-section (1) of section 8, issues any matches from any manufactory, shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees or to one rupee for every packet, box or booklet of matches in respect of which an offence has been committed, whichever is greater, or with both imprisonment and fine.

(2) Whoever, in contravention of any direction made under sub-section (2) of section 8, sells or offers or keeps for sale any matches shall be punishable with fine which may extend to one thousand rupees or to one rupee for every packet, box or booklet of matches in respect of which an offence has been committed, whichever is greater.

Penalty for manufacture of matches and manufacture and import of splints and veneers without license.

13. Whoever, in contravention of the provisions of section 9, manufactures matches or splints or veneers or imports splints or veneers into Mysore or supplies splints or veneers to any person shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees, or with both.

Penalty for evasion of duty or failure to supply information.

14. Whoever evades, or attempts to evade, the payment of any duty payable by him under this Regulation, or fails to supply any information which he is required under this Regulation or the rules to supply, or knowingly

supplies false information, shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

Power of Courts to order forfeiture of matches, splints or veneers.

15. Any court trying an offence under this Regulation may order that any matches, splints or veneers together with the boxes, packing or wrappings thereof, in respect of which the court is satisfied that an offence under this Regulation has been committed, shall be forfeited to the Government.

16. The Government may by Notification in the Official Gazette exempt any matches from the whole or any part of the duty leviable thereon under this Regulation.

Power of Government to make rules.

17. (1) The Government may, by notification in the Official Gazette, make rules to carry into effect the purposes and objects of this Regulation.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may—

(*a*) prescribe the rate of duty referred to in clause (b) of section 4;

(*b*) provide for the assessment and collection of the duty and the authorities by whom functions under this Regulation are to be discharged, the issue of notices requiring payment, the manner in which the duty shall be payable, and the recovery of arrears;

(*c*) provide for the distinguishing of matches, splints or veneers which have been manufactured under license, of splints or veneers which have been imported under license and of matches on which duty has been paid, or which are exempt from duty under this Regulation;

(*d*) regulate the issue of matches out of any manufactory and limit the number of matches which may be contained in a box or booklet;

(*e*) impose on the owners of manufactories and on persons engaged in the sale of matches, the duty of furnishing information, keeping records and making returns, and prescribe the nature of such information and the form of such records and returns, the particulars to be contained therein, and the manner in which they shall be verified;

(*f*) provide for the issuing of licenses, the form and the conditions of licenses, and the fees to be charged therefor;

(*g*) regulate the sale of splints and veneers;

(*h*) provide for the detention of matches for the purpose of exacting the duty, the confiscation, otherwise than under section 15, of matches, splints or veneers in respect of which breaches of the Regulation or Rules have been committed, and the disposal of matches, splints or veneers so detained or confiscated;

(*i*) authorize and regulate the inspection or search of any place or conveyance used for the manufacture, storage or carriage of matches, splints or veneers;

(*j*) authorize and regulate the composition of offences against, or liabilities incurred under, the Regulation and Rules including composite payments in lieu of duty; and

(*k*) prescribe the nature of and the manner of affixing banderols or stamps.

(3) In making any rule under this section the Government may provide that a breach of the rule shall, where no other penalty is provided by this Regulation, be punishable with imprisonment for any term not exceeding six months, or with fine not exceeding one thousand rupees, or with both imprisonment and fine.

Power of Government to provide for rebate of duty.

18. The Government may, by notification in the Official Gazette, make rules to provide for the grant of a rebate of the duty payable under section 3 on matches manufactured in any manufactory whose daily output does not exceed one hundred gross of boxes to the following extent, namely:—

(i) where the average number of matches in a box or booklet is forty or less, a rebate of ten pies per gross of boxes or booklets;

(ii) where the average number of matches in a box or booklet is more than forty but not more than sixty, a rebate of one anna and three pies per gross of boxes or booklets; and

(iii) where the average number of matches in a box or booklet is more than sixty, a rebate of one anna and eight pies per gross of boxes or booklets.

Statement of Objects and Reasons.

The Government of India have enacted a measure, the Matches (Excise Duty) Act, 1934, for levying an excise duty on matches and it imposes a duty amounting to one rupee per gross of boxes containing 40 matches in a box.

The Government of India have entered into an arrangement with most Indian States including Mysore, under which every State in which matches are made, or may in future be made, might recover a corresponding tax paying the proceeds into a common pool along with the proceeds of the British Indian tax; and the amounts in this pool will be divided on an estimated consumption basis between British India and the States that have entered into the arrangement. The abovementioned Act also empowers the Government of India to prohibit the import into British India of matches manufactured in any State in India and this power of prohibition will be used against matches produced in any State which does not come in to the agreement. To give effect to the arrangement with the Government of India, it is necessary to enact a Regulation to impose and collect a duty on matches manufactured in Mysore similar to the duty imposed and collected in British India.

Since the levy of duty in British India came into effect from 1st April 1934 and the imposition of the duty in Mysore had to come into force immediately, an Emergency Regulation has been brought into force from 21st May 1934 under powers vested in the Government under Section 12 of the Mysore Legislative Council Regulation.

As it is necessary to continue the measure beyond the period during which the Emergency Regulation has force, this Bill is designed for such continuance.

No. 5987—L.C., dated 5th June 1934.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council and in modification of Notification No. 4528—L. C., dated 9th April 1934, the accompanying Bill further to amend the Mysore Land Revenue Code, 1888, is published for general information with the statement of objects and reasons.

By Order,

C. SUBRAHMANYA AIYAR,

Secretary,

Mysore Legislative Council.

A Bill Further to Amend the Mysore Land Revenue Code, 1888.

Whereas it is expedient to further amend the Mysore Land Revenue Code, 1888; It is hereby enacted as follows:— Preamble.

1. Section 129 of the said Code shall be numbered as sub-section (1), and the following sub-section shall be added thereto:— Amendment of section 129.

"(2) Where a boundary has been so fixed, the Deputy Commissioner may at any time summarily evict any landholder who is wrongfully in possession of any land which has been adjudged in the settlement of a boundary not to appertain to his holding or to the holding of any person through or under whom he claims."

2. The following section shall be inserted as section 166-A:— Addition of a new section 166-A.

"Notwithstanding anything contained in the proviso to section 97 of this Regulation, the Deputy Commissioner or the Agent or Officer so appointed shall, during such management, be entitled to recover under the provisions of this Chapter the rent or land revenue due by inferior holders or by co-sharers in their holdings provided that proceedings for such recovery are taken within six years from the end of the revenue year for which the said rent or land revenue became due." Recovery of rent, etc., due during such management.

Statement of Objects and Reasons.

1. Sections 127 to 129 of the Land Revenue Code empower the Revenue authorities to enquire into and settle disputes relating to boundaries of survey numbers at any time before or after survey and such a settlement will be determinative not only of the position of the boundary line, but of the rights of the holders on either side of it also. But the Deputy Commissioner has not been empowered to enforce his decision by evicting the person in wrongful possession in accordance with the procedure prescribed under section 209. The injured party has, therefore, to go to the Civil Court to get possession of his land encroached upon in case there is no voluntary relinquishment. Section 121 of the Bombay Land

Revenue Code corresponding to section 129 of the Mysore Land Revenue Code has been amended in 1913 empowering the Collector to enforce his decision by evicting summarily the person in wrongful possession. It is, therefore, proposed to amend the Mysore Land Revenue Code by the addition of a clause to section 129 similar to clause (2) of section 121 of the Bombay Land Revenue Code. This would satisfy the demand expressed at the Representative Assembly Session of October 1933 for an expeditious remedy in cases of disputed field boundaries.

No. R. 5762—L. R. 360-14-8, dated 11th December 1915. No. R. 5085-93—L. R. 339-22-4, dated 9th April 1928.

2. Under section 165, Land Revenue Code, the Deputy Commissioner may, with the previous sanction of the Revenue Commissioner attach and take over the management of an Inam village in respect of which an arrear is due. The view held till recently in the Government Orders noted in the margin was that when an Inam village was so attached and taken under Government management, it was restored temporarily to its original condition of an unalienated village and that the assessment due from the holders in such a village could be recovered by summary process without any limit of time.

3. The High Court, however, in second appeal No. 86 of 1927-28 (Shamasubbiah *Vs.* Subba Rao) held that so long as an Inam Village was under Government management, the rights of Government, except to the extent to which they are expressly provided for, are those of a Manager and as such the right of the Government *qua* Manager to recover the arrears of rent due from an inferior holder is subject to the same limitation as that prescribed in the case of the superior holder himself, under Article 119-A of the Limitation Regulation, *viz.*, six years.

4. The effect of this decision is that even if an Inam village is taken over under Government management, Government cannot recover arrears of rent or revenue by summary revenue process except for a period of two years and for recovery of six years' arrears which the law of Limitation allows, Government is compelled to have recourse to a civil court.

5. These restrictions are likely to create difficulties in the management of Inam villages and the recovery of

Government revenue. It is, therefore, considered necessary to amend the Land Revenue Code so as to enable the Government (Revenue Officers) to recover by summary process the rent or land revenue due by inferior holders or co-sharers in their holdings provided that action for such recovery is taken within six years from the end of the revenue year for which the said rent or land revenue became due.

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PART IV

Legislative measures and Rules thereunder.

NOTIFICATIONS.

Order No. P. 237—*Bangalore, dated the* 14*th July* 1934.

Ordered that the accompanying Regulation to provide for the imposition and collection of an Excise duty on Sugar which received the assent of His Highness the Maharaja, on the 10th day of July 1934, be published as Regulation No. II of 1934, in the *Mysore Gazette*, for general information.

S. Abdul Wajid,
Secretary to Government,
General Department.

REGULATION No. II OF 1934.

(Received the assent of His Highness the Maharaja on the 10*th day of July* 1934.)

A Regulation to provide for the imposition and collection of an Excise Duty on Sugar.

Whereas it is expedient to impose an excise duty on sugar produced in factories and to provide for the collection thereof :

Regd. No. M.—1175.

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BANGALORE, THURSDAY, MAY 24, 1934.

PART IV

Legislative measures and Rules thereunder.

NOTIFICATIONS.

Order No. P. 5336—*Legis.* 44-33-1, *dated Bangalore,* 21*st May* 1934.

Ordered that the accompanying Regulation to provide for the Imposition and Collection of an Excise Duty on Matches, which received the assent of His Highness the Maharaja, on the 16th day of May 1934, be published as Emergency Regulation No. I of 1934, in the *Mysore Gazette* Extraordinary for general information.

S. ABDUL WAJID,
Secretary to Government,
General Department.

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Regd. No. M.—1175.

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Vol. 69.] PUBLISHED BY A

BANGALORE, THURSD

PART I

Legislative measures and

NOTIFICAT

Order No. P. 5336—*Le*
Bangalore, 21*st*

Ordered that the accompan
for the Imposition and Collect
Matches, which received the a
Maharaja, on the 16th day of
Emergency Regulation No. I
Gazette Extraordinary for gene

It is hereby enacted as follows:—

Short Title and Extent.

1. (1) This Regulation may be called the Sugar (Excise Duty) Regulation, 1934.

(2) It extends to the whole of Mysore.

(3) It shall come into force from such date as may be notified by the Government in the *Official Gazette*.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context,—

(*a*) "factory" means any premises wherein or within the precincts of which, twenty or more workers are working or were working on any day of the preceding twelve months, and in any part of which any manufacturing process connected with the production of sugar is being carried on or is ordinarily carried on with the aid of power;

(*b*) "owner" includes any person expressly or impliedly authorised by the owner of a factory to be his agent in respect of such factory;

(*c*) "sugar" means any form of sugar containing more than ninety per cent of sucrose;

(*d*) "*khandsari* sugar" means sugar in the manufacture of which neither a vacuum pan nor a vacuum evaporator is employed; and

(*e*) "palmyra sugar" means sugar manufactured from jaggery obtained by boiling the juice of the palmyra palm.

Imposition of duty on sugar.

3. (1) A duty of excise shall be levied on all sugar produced in any factory in Mysore and either issued out of such factory or used within such factory in the manufacture of any commodity other than sugar after the coming into force of this Regulation, and shall be payable by the owner of the factory.

(2) The duty payable under sub-section (1) shall be at the following rates, namely:—

(*i*) on *khandsari* sugar at the rate of ten annas per cwt;

(*ii*) on all other sugar except palmyra sugar at the rate of one rupee and five annas per cwt;

(*iii*) on palmyra sugar at such rate, if any, as may be fixed in this behalf by the Government after such enquiry as it may think fit.

Recovery of duty with penalty.

4. (1) If any duty payable under section 3 is not paid within the time fixed by rules made in that behalf

under this Regulation, it shall be deemed to be an arrear, and the Government may, in lieu thereof, recover any sum not exceeding double the amount of duty unpaid which it may in its discretion think it reasonable to require.

(2) An arrear of duty, or any sum recoverable in lieu thereof under this section, shall be recoverable as an arrear of land revenue and shall be recoverable in addition to, and not in substitution for, any other penalty incurred under this Regulation.

Issue of sugar from factory.

5. No person shall issue any sugar out of a factory, except in accordance with the provisions of rules made in that behalf under this Regulation, or, until such rules are made, in accordance with the general or special orders of the Government.

Power of Government to impose duty on sugar imported into Mysore.

6. The Government may, by notification in the *Official Gazette*, impose on sugar brought into Mysore from the territory of any State in India, a duty equivalent to the excise duty imposed by this Regulation on sugar produced in Mysore.

Penalty for issue of sugar from factory in contravention of section 5.

7. Whoever contravenes the provisions of section 5 shall be punishable with fine which may extend to two thousand rupees.

Penalty for evasion of duty or failure to supply information.

8. Whoever evades or attempts to evade the payment of any duty payable by him under this Regulation, or fails to supply any information which he is required by any rule made under this Regulation to supply, or knowingly supplies false information, shall be punishable with imprisonment which may extend to six months, or with fine which may extend to two thousand rupees, or with both.

Power of Courts to order forfeiture of sugar.

9. Any Court trying an offence under this Regulation may order that any sugar, together with the packages or coverings thereof, in respect of which the Court is satisfied that an offence under this Regulation has been committed, shall be forfeited to the Government.

Power of Government to make rules.

10. (1) The Government may, by notification in the *Official Gazette*, make rules to carry into effect the purposes and objects of this Regulation.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may—

(*a*) provide for the assessment and collection of the duty and the authorities by whom functions under this Regulation are to be discharged, the issue of notices

requiring payment, the manner in which the duty shall be payable, and the recovery of arrears;

(*b*) regulate the issue of sugar out of, or the use of sugar in the manufacture of commodities within any factory and provide for the appointment of officers of Government to supervise within any factory such issue or use;

(*c*) impose on the owners of factories, and on persons engaged in the sale of sugar, the duty of furnishing information, keeping records and making returns, and prescribe the nature of such information and the form of such records and returns, the particulars to be contained therein, and the manner in which they shall be verified;

(*d*) provide for the detention of sugar for the purpose of exacting the duty, the confiscation otherwise than under section 9 of sugar in respect of which breaches of the Regulation or rules have been committed, and the disposal of sugar so detained or confiscated;

(*e*) authorise and regulate the inspection or search of any place or conveyance used for the manufacture, storage or carriage of sugar; and

(*f*) authorise and regulate the composition of offences against or liabilities incurred under the Regulation and rules.

(3) In making any rule under this section, the Government may provide that a breach of the rule shall, where no other penalty is provided by this Regulation, be punishable with fine not exceeding two thousand rupees.

MIRZA M. ISMAIL,
Dewan.

Order No. P. 295 Legis. 44-33-2, dated, Bangalore, the 20th—23rd July 1934.

Ordered that the accompanying Regulation to provide for the imposition and collection of an Excise Duty on Matches which received the assent of His Highness the Maharaja, on the 10th day of July 1934, be published as Regulation No. III of 1934, in the *Mysore Gazette*, for general information.

S. ABDUL WAJID,
Secretary to Government,
General Department.

REGULATION No. III OF 1934.

(Received the assent of His Highness the Maharaja on the tenth day of July 1934.)

A Regulation to provide for the Imposition and Collection of an Excise Duty on Matches.

Whereas it is expedient to provide for the imposition of an excise duty on matches and to provide for the collection thereof; It is hereby enacted as follows :— Preamble.

1. (1) This Regulation may be called the Matches (Excise Duty) Regulation, 1934. Short title.

(2) The Matches (Excise Duty) Emergency Regulation, I of 1934, is hereby repealed. Repeal.

2. In this Regulation, unless there is anything repugnant in the subject or context,— Definitions:

(*a*) "manufactory" means any premises wherein matches are manufactured;

(*b*) "match" includes a firework in the form of a match; and, where a match-stick contains more heads than one capable of being ignited by striking, each such head shall be deemed to be a match;

(*c*) "owner" includes any person expressly or impliedly authorised by an owner of a manufactory to be his agent in respect of the manufactory;

(*d*) "splints" means undipped splints such as are ordinarily used for making matches; and

(*e*) "veneers" means veneers such as are ordinarily used for making match-boxes.

Imposition of duty on matches.

3. A duty of excise at the rates specified in section 4 shall be levied on all matches manufactured in any manufactory in Mysore and issued out of such manufactory after the coming into force of this Regulation and shall be payable by the owner of the manufactory.

Rates of duty on matches.

4. The duty payable under section 3 shall be levied at the following rates, namely:—

(*a*) on matches in boxes or booklets containing on an average not more than eighty—

(i) if the average number is forty or less, at the rate of one rupee per gross of boxes or booklets,

(ii) if the average number is more than forty, but not more than sixty, at the rate of one rupee and eight annas per gross of boxes or booklets, and

(iii) if the average number is more than sixty, at the rate of two rupees per gross of boxes or booklets, and

(*b*) on all other matches, at such rate as the Government may prescribe.

Recovery of duty with penalty.

5. (1) If any duty payable under section 3 is not paid within the time fixed by rules made in that behalf under this Regulation, it shall be deemed to be an arrear, and the Government may, in lieu thereof, recover any sum not exceeding four times the amount of duty unpaid which it may in its discretion think it reasonable to require.

(2) An arrear of duty, or any sum recoverable in lieu thereof under this section, shall be recoverable as an arrear of land revenue and shall be recoverable in addition to, and not in substitution for, any other penalty incurred under this Regulation.

Issue of matches from manufactory.

6. No person shall issue any matches out of a manufactory, except in accordance with the provisions of rules made in that behalf under this Regulation, or, until such rules are made, in accordance with the general or special orders of the Government.

Power of Government to prohibit import of matches.

7. The Government may, by notification in the Official Gazette, prohibit absolutely, or with such exceptions as it thinks fit, the bringing of matches into Mysore from any territory outside Mysore.

Power of Government to direct use of banderols.

8. (1) The Government may, by notification in the Official Gazette, direct that after a date to be specified in the notification no matches manufactured after the date of the issue of the notification shall be issued from a manufactory in Mysore except in packets, boxes or booklets bearing a banderol or stamp of such nature and affixed in such manner as may be prescribed by rules made under this Regulation.

(2) The Government may, by a like notification, direct that, after a date to be specified in the notification, no matches shall be sold or offered or kept for sale in Mysore except in packets, boxes or booklets bearing such a banderol or stamp so affixed.

(3) The Government may exempt from the operation of any notification made under sub-section (1) matches intended for export from India.

(4) The Government may exempt from the operation of any notification made under sub-section (2) matches of a particular kind or packed in a particular manner.

Prohibition of manufacture of matches and manufacture and import of splints and veneers.

9. From such date as may be fixed by the Government by notification in the Official Gazette in this behalf—

(*a*) no person shall manufacture matches or splints or veneers in Mysore except under and in accordance with a licence to manufacture issued under this Regulation;

(*b*) no person shall import splints or veneers into Mysore except under and in accordance with a licence to import; and

(*c*) no person shall supply splints or veneers to any person who does not possess a licence to manufacture matches issued under this Regulation nor otherwise than in such manner as may be prescribed by rules made under this Regulation.

Penalty for issue of matches from manufactory in contravention of section 6.

10. Whoever contravenes the provisions of section 6 shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Penalty for import of matches in contravention of Regulation.

11. (1) Whoever, in contravention of any notification made under section 7 imports, or attempts to import, matches in to Mysore shall be punishable with imprisonment which may extend to six months, or with fine which may extend to four times the amount of the duty which

would be payable on the matches if they were liable to duty in Mysore or to one thousand rupees, whichever is greater, or with both imprisonment and fine.

(2) Whoever abets an offence punishable under sub-section (1) shall, whether such offence is or is not committed in consequence of such abetment, and notwithstanding anything contained in section 116 of the Indian Penal Code as in force in Mysore, be punishable with the punishment provided for the offence.

Penalty for issue or sale of matches without banderol.

12. (1) Whoever, in contravention of any direction made under sub-section (1) of section 8, issues any matches from any manufactory, shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees or to one rupee for every packet, box or booklet of matches in respect of which an offence has been committed, whichever is greater, or with both imprisonment and fine.

(2) Whoever, in contravention of any direction made under sub-section (2) of section 8, sells or offers or keeps for sale any matches shall be punishable with fine which may extend to one thousand rupees or to one rupee for every packet, box or booklet of matches in respect of which an offence has been committed, whichever is greater.

Penalty for manufacture of matches and manufacture and import of splints and veneers without licence.

13. Whoever, in contravention of the provisions of section 9, manufactures matches or splints or veneers or imports splints or veneers in to Mysore or supplies splints or veneers to any person shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Penalty for evasion of duty or failure to supply information.

14. Whoever evades, or attempts to evade, the payment of any duty payable by him under this Regulation, or fails to supply any information which he is required under this Regulation or the rules to supply, or knowingly supplies false information, shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Power of Courts to order forfeiture of matches, splints or veneers.

15. Any Court trying an offence under this Regulation may order that any matches, splints or veneers together with the boxes, packing or wrappings thereof, in respect of which the Court is satisfied that an offence under this Regulation has been committed, shall be forfeited to the Government.

Power to Exempt.

16. The Government may by notification in the Official Gazette exempt any matches from the whole

or any part of the duty leviable thereon under this Regulation.

Power of Government to make rules.

17. (1) The Government may, by notification in the Official Gazette, make rules to carry into effect the purposes and objects of this Regulation,

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may—

(*a*) prescribe the rate of duty referred to in clause (b) of section 4;

(*b*) provide for the assessment and collection of the duty and the authorities by whom functions under this Regulation are to be discharged, the issue of notices requiring payment, the manner in which the duty shall be payable, and the recovery of arrears;

(*c*) provide for the distinguishing of matches, splints or veneers which have been manufactured under licence, of splints or veneers which have been imported under licence and of matches on which duty has been paid, or which are exempt from duty under this Regulation;

(*d*) regulate the issue of matches out of any manufactory and limit the number of matches which may be contained in a box or booklet;

(*e*) impose on the owners of manufactories and on persons engaged in the sale of matches the duty of furnishing information, keeping records and making returns, and prescribe the nature of such information and the form of such records and returns, the particulars to be contained therein, and the manner in which they shall be verified;

(*f*) provide for the issuing of licences, the form and the conditions of licences, and the fees to be charged therefor;

(*g*) regulate the sale of splints and veneers;

(*h*) provide for the detention of matches for the purpose of exacting the duty, the confiscation, otherwise than under section 15, of matches, splints and veneers in respect of which breaches of the Regulation or rules have been committed, and the disposal of matches, splints and veneers so detained or confiscated;

(*i*) authorize and regulate the inspection or search of any place or conveyance used for the manufacture, storage or carriage of matches, splints or veneers;

(*j*) authorize and regulate the composition of offences against, or liabilities incurred under, the Regulation and rules, including composite payments in lieu of duty; and

(*k*) prescribe the nature of and the manner of affixing banderols or stamps.

(3) In making any rule under this section the Government may provide that a breach of the rule shall, where no other penalty is provided by this Regulation, be punishable with imprisonment for any term not exceeding six months, or with fine not exceeding one thousand rupees, or with both imprisonment and fine.

Power of Government to provide for rebate of duty.

18. The Government may, by notification in the Official Gazette, make rules to provide for the grant of a rebate of the duty payable under section 3 on matches manufactured in any manufactory whose daily output does not exceed one hundred gross of boxes to the following extent, namely :—

(i) where the average number of matches in a box or booklet is forty or less, a rebate of ten pies per gross of boxes or booklets;

(ii) where the average number of matches in a box or booklet is more than forty but not more than sixty, a rebate of one anna and three pies per gross of boxes or booklets; and

(iii) where the average number of matches in a box or booklet is more than sixty, a rebate of one anna and eight pies per gross of boxes or booklets.

MIRZA M. ISMAIL,
Dewan.

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PART IV

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. L. 1740—*Ml.* 105-34-1, *dated Bangalore, 8th September* 1934.

The following draft of the rules which the Government propose to make, in exercise of the powers vested in them under Section 228 (h) of the City Municipalities Regulation, 1933, for the regulation of water supply in the Bangalore City, is published, under Sub-section (4) of the said section, for the information of all persons interested. Any objections or suggestions which may be received within a month from the date of the publication of the rules will be taken into consideration by Government before the issue of the rules finally.

By Order,

R. Ranga Rao,

Chief Secretary to Government.

Rules for the Regulation of Water Supply in Bangalore City.

These rules shall be called the Bangalore City Water Supply Rules.

Definitions.

2. In these rules, unless there is something repugnant in the subject or context—

(i) "Department" shall mean the Water Supply Department and include the Executive Engineer, Water Supply and Stores Division at Bangalore, working under the orders of the Chief Engineer.

(ii) "Consumer" shall mean any corporate body, person or persons consuming water supplied by the department.

(iii) "Authorised Officer" shall mean the Range Officer in charge of the Bangalore City Water Supply and Works connected therewith or any other Officer authorised by the department.

(iv) "Licensed Plumber" hereinafter called "Plumber" shall mean any person engaged in pipe laying and fitting and licensed by the department under the rules framed by it in this behalf.

(v) "Communication Pipe" shall mean that part of the supply pipe extending from the distribution pipe of the department up to the boundary of the premises of the consumer or owner.

(vi) "Supply Pipe" shall mean the pipe directly subjected to water pressure from the departmental mains.

(vii) "Premises" shall mean any separately occupied house or building or its part or any tenement thereof in respect of which water is supplied or applied for.

(viii) "The Departmental Stop Valve" shall mean the gland cock or valve fixed outside the premises of the consumer or owner, supplied by the owner but operated by the Department.

(ix) "Storage Cistern" shall mean any cistern for containing the departmentally supplied water but shall not include a cistern for storing hot water or water for flushing or other sanitary needs.

3. The Water Supply Department shall be responsible for all work connected with the supply of water to the City of Bangalore.

Purposes of Supply of Water.

4. The supply of water under these rules is intended purely for *bona fide* domestic purposes and the water so supplied shall not be used for any other purpose without the previous permission in writing from the Executive Engineer.

Provided that water may be drawn for watering public roads, flushing drains and other Municipal purposes from duly metered public fountains and connections separately provided for the purpose, at the cost of the Municipality.

5. The Executive Engineer may, subject to the conditions to be determined by him in this behalf supply water for other than domestic purposes.

6. No water cart or lorry shall take water from public fountains other than those set apart for the purpose by the department and indicated as such by notice boards, provided that the water is used for *bona fide* drinking purposes and is not drawn direct to the cart or lorry and provided no inconvenience is caused to the public.

Installation and Removal of Public Fountains.

7. The Department may after consulting the Municipality fix public fountains in different parts of the City at distances of not less than 600 feet, and remove or close such fountains.

Provided that the Executive Engineer or the Authorised Officer may close temporarily any public fountain found to be misused.

Application for Laying Pipe and Attachment Fees.

8. The owner or consumer of a premises shall, before starting the laying or removing or alteration or extension of any pipe give not less than fifteen days' notice thereof to the Department or the Authorised Officer and deliver an application through a duly licensed plumber in the form prescribed by the department. He shall also deposit with the Authorised Officer, the cost of the attachment from the public main which shall be as follows :—

½″	attachment or less		Rs.	3-0-0
¾″	,,	,,	,,	4-0-0
1″	,,	,,	,,	5-0-0

For attachment above 1″ the rate shall be decided by the Executive Engineer.

9. Whenever an attachment temporarily closed either at the request of the consumer or on account of his defaulting to pay the water, meter and other charges due on the water connection or his infringing any of these

rules is to be reconnected, a uniform rate of rupee one will be charged.

Connection to Mains.

10. Every connection shall be laid and connected with the departmental public main in accordance with the subsidiary rules issued by the department in this behalf.

11. No connection shall be taken until after the departmental approval is communicated in writing to the consumer or owner, through the concerned licensed plumber.

Use of Water.

12. The water supplied by the department shall be used only for the specific purpose applied for. Any fittings and branch pipes for non-domestic use on a domestic supply or *vice versa* which are out of use or out of commission or otherwise defective, shall be removed and the connections properly sealed when required by the Authorised Officer. Should the consumer or the owner fail to comply with such requisition, the Authorised Officer may enter any house or premises and execute the required work and the expenses thereof shall be recovered from the consumer or the owner in the same manner as other charges are recoverable under these rules.

Quality of Pipes and Fittings.

13. No person shall for the purpose of conveying, delivering, receiving or using the water supplied by the department, fix, fit or use any pipe, tap, valve, cock, cistern or any other water fittings or sanitary appliances which shall not be of the quality and strength prescribed by the approved specifications of the department. No consumer or owner shall be entitled for the supply of water unless and until such pipes and fittings and the laying and fixing thereof are approved by the Authorised Officer.

Rates for Materials and Work.

14. A schedule of rates chargeable for the materials and for the execution of work as in force at the time shall be kept by the department for the information of the consumers or owners.

Specifications prescribed.

15. The department may by subsidiary rules prescribe the size, nature, materials, workmanship, strength and mode of arrangement, connection, disconnection, alteration and repair of pipes, meters, cocks, ferrules, valves, soil pans, water closets, baths cisterns and other apparatus and forbid any arrangements and use of any water fittings which may allow or tend to allow any waste, undue consumption, misuse, erroneous measurement or contamination.

16. In cases where the consumer or owner applies for connections in addition to the existing ones, he shall not be required to alter or renew the existing old fittings on the date of application, unless in the opinion of the Authorised Officer they are so defective or located in such a position as to cause or is likely to cause obstruction to, and waste, undue consumption, misuse or contamination of, the water supplied by the department.

Supply Pipe.

17. No separately assessed premises shall except with the special permission in writing of the Executive Engineer be supplied with water by more than one supply pipe.

18. Every separately assessed premises shall have its own separate supply pipe.

Same Premises with Separate Consumers.

19. Whenever the Municipality assesses a premises separately, the department may give a separate connection thereto. But where more than one building is existing in the same premises occupied by different consumers but under a single assessment, no separate free allowance shall be given to each such individual building.

Several Houses Supplied by One Pipe.

20. When several houses or parts of houses in the separate occupations of several persons are supplied by one common pipe, the several owners or consumers of such houses or parts shall be liable to the payment for water supplied as if such water were supplied to each of them separately by a separate pipe.

Minimum Rental Value for Connection.

21. The minimum annual rental value to enable a premises to get water connection shall be Rs 100. The connection shall be given only where the capacity and the pressure of the departmental public mains permit of a supply being given to the applicant.

Connection from nearest distribution Line.

22. The water connection shall as a general rule be taken from the nearest distribution line feeding the locality wherein the premises is situate. Special connections from other sub-mains shall be subject to the express orders of the Executive Engineer.

23. The Executive Engineer or the Authorised Officer may, if at any time he deems it necessary to alter the position of an existing connection with any public main or of the communication pipes or fittings thereof, direct such alteration after giving not less than two day's notice in writing to the person concerned. The cost of all such alterations up to the Departmental stop cock shall be borne by the Department.

In the case of connections taken contrary to these rules, the owner shall bear the cost of the alterations.

Documents to accompany application for water connection.

24. Before a consumer or owner can have water connection he shall make an application therefor to the Executive Engineer through a licensed plumber. The application shall be accompained by a certificate of ownership of the house, the municipal assessment receipt giving details of the annual rental value, the Municipal deposit receipt for the road cutting or repair charges, a detailed estimate of cost of connections and sketches of the details of layout of the pipe service in relation not only to the departmental distribution lines running close by but also to the public and private drains, latrines, etc.

Plumber's register of house connection.

25 The Plumbers shall maintain a register of house connections so applied for, sanctioned and completed and shall submit the same before the 5th of each month to the Authorised officer.

Plumber's notice for getting connection.

26. The Plumber executing the work for giving water connection to the consumer or owner shall give at least two days' notice to the Authorised Officer before he asks for connecting the private communicating pipe with the departmental distribution line.

Service connection by whom given.

27. The service connection shall be given by the Authorised Officer or his subordinate empowered by him in this behalf, in the presence of the plumber and the consumer or owner. Disputes arising in the manner of laying the communication pipe and the connection with the public main shall be referred to the Executive Engineer or the Authorised Officer whose decision shall be final.

Breaking up of municipal pavement, road or other property during pipe laying.

28. In every case where the Municipal pavement, drain, road, manhole, or other property is likely to be affected during the laying of the pipes for any premises, the consumer or the owner or on his behalf the licensed Plumber, shall be responsible for giving sufficient notice thereof to the Municipality. He shall also be subject to the same control, restrictions and obligations to the Municipality during the period of such work as the department itself is, including any penalties to be recoverable for delay, inconvenience, incomplete or unsatisfactory finishing up of the works connected with the affected portions.

Hose pipe connection prohibited.

29. Hose Pipes shall not be allowed to be used from any connection metered or unmetered except with the

permission of the department in writing and all water drawn through such pipe shall be separately charged for. Every such pipe shall have a gland cock at the delivery end.

30. Except under a written agreement with the department and subject to its conditions, no person shall fix, fit or use on any premises any self acting sanitary or other out-fit through which the departmental water passes. Such a connection may not be granted by the department except when conditions of supply admit such extra consumption in the opinion of the Executive Engineer.

Accessibility of pipes and fittings.

31. Every pipe or fitting within a building shall so far as practicable be so placed as to admit of easy access, examination, repair or renewal, and no part shall be embedded in brick, stone, mortar plaster paved or pointed slabs, except where this is unavoidable.

Departmental stop cock on supply line.

32. Every consumer's connection shall have outside the premises a valve or gland cock of the approved pattern with a minimum area of not less than $\frac{1}{2}$" diameter nor more than the diameter of the supply pipe. This valve or cock shall be supplied by the consumer as approved by the Authorised Officer. Such valve or cock if below the ground level shall in every instance be suitably protected by a surface box of the approved pattern supplied to the consumer by the department at the consumer's cost.

Automatic valve for storage cisterns, and warning pipes.

33. In every case where the water is to be supplied to a storage cistern, a suitable control valve with an automatic arrangement for closing the inlet shall be provided. In addition to this, a warning pipe shall also be fitted near to the cistern whose overflowing water shall be so conveyed as to be easily noticeable by the departmental staff.

Supply pipes not to be laid through in sanitary places.

34. No supply pipe or distribution pipe shall be laid so as to pass into or through any sewer, drain, latrine, manhole, or through any ashpit or manure pit. Nor can any such pipe be allowed to remain in contact with any foul smelling or injurious material. Where the laying through such insanitary places cannot be avoided, adequate protection to the pipe shall invariably be provided by carrying it through an exterior cast iron tube or in any other suitable manner approved by the Executive Engineer or the Authorised Officer.

Depth of pipes under ground.

35. Pipes laid in open ground shall be at least 1½ feet below the ground level.

36. No pipe which shall be supplied with water by the department shall be allowed to be mixed up with other water supply by any other water connection.

Storage cisterns.

37. No storage cistern shall be allowed to be installed which is not provided with a dust and water proof cover and a ventilator, and which is not so placed as to admit of ready inspection and repairs and cleaning and be free from contamination. The position of the warning pipe of the cistern shall not be altered, except with the approval of the Authorised Officer.

38. No cistern buried or excavated in the ground shall be used for the storage or reception of water which is not provided with a reflux valve to prevent the back flow of the water to the pipe line and which is not so constructed as to ensure the water tightness as well as the imperviousness of the cistern to outside contamination, including the provision of a dust and water proof covering for the same with a ventilator also. The Authorised Officer may inspect and cut off the service to such a cistern whenever contamination or misuse or any defect in construction is noticed.

39. Unless otherwise specially authorised no consumer or owner shall be allowed to take water to any boiler, kettle, water closet or sanitary and hot water fittings or any industrial appliances, except through a storage cistern of the approved specification.

Only licensed plumbers to execute works

40. No water connection or alteration or extension or repairs of such water connection shall be given or made unless such work is executed by departmental agency or by plumbers licensed for the purpose under the rules framed by the department in this behalf.

Meters.

41. For every house connection there shall be provided at the cost of the Municipality and maintained in due working order, a water meter for the accurate gauging of the water consumed provided that the Executive Engineer or the Authorised officer dispense with the erection of water meters in the case of premises not likely to consume more water than the free allowance to be granted thereto.

42. For every meter installed to a premises and kept in working condition a meter rent of four annas per month shall be levied in addition to whatsoever charge may be

due for the water consumed, provided that for the period when the meter is out of order, no such rent shall be charged.

43. The meter shall wherever practicable be placed inside the premises of the consumer or owner who shall be held responsible for any wilful damage or alteration of its reading and shall be liable not merely to pay up the cost of making good such damages but also for the penalty hereinafter imposed in rule 67. The Executive Engineer may subject to an appeal to the Chief Engineer assess the damages caused and recover the same in the manner prescribed further recovers of other charges.

Free allowance of water.

44. The free allowance of water to a consumer or owner for his domestic connection shall be regulated as follows:—

For every one rupee of the annual rental value of the house or premises the authorised free allowance shall be 100 gallons, but in no case shall such free allowance be less than 2,500 gallons or more than 10,000 gallons per month.

The same rates as above shall apply equally to Government buildings used for residential purposes.

Excess water charges.

45. Any consumer or owner who shall use water in any month in excess of the free allowance, shall pay for such excess at the rate of rupee one for every 1,000 gallons so consumed. In calculating the excess water charges under this clause the excess on any whole number of 1,000 gallons shall not be charged for, if it is 500 gallons and below; but the excess shall be charged as if it were 1,000 gallons if it exceeds 500 gallons.

Time for payment.

46. The excess water charges, meter rent and other charges due under these Rules shall be paid at the Office of the Authorised Officer monthly on bills which shall be presented to the party before the 5th of the succeeding month. The payments shall be made before the 20th of that month including arrears if any. Failure of such payment shall automatically cause the cutting off of water to the premises on or before the 25th of that month.

47. If and whenever a consumer ceases to occupy the premises supplied with water or to use the water, he shall or on his behalf the owner shall send a written notice to the Authorised Officer. In case of his failure to do so, the department may proceed against the consumer or the

owner to recover any charges that may become due including those for excess consumption.

Payment by consumer or owner.

48. All money due for water consumption, meter rent or other charges under these rules shall be payable by the consumer or on his default by the owner.

Disputes about meter readings.

49. All cases of protests or disputes about the meter readings or otherwise shall be lodged within fifteen days after the monthly readings are recorded on the meter card mounted in the premises of the consumer or owner. No complaints received after this period shall be entertained.

50. To facilitate the disposal of diputed claims the Executive Engineer shall when requested in writing furnish a memorandum showing the consumption and probable charges on account of water rate, meter rent and other items, for any period subsequent to the preparation of the last bill in the Office.

Meter reading.

51. The meters shall be read between the 20th of a month and the end of the month generally between the hours of 7-30 A.M. and 4-30 P.M. and recorded on meter cards hung up by the side of the electric meter cards or in any safe and prominent portion of the house for the safety of which the consumer shall be responsible.

Charges for non-domestic concerns.

52. The above rules in respect of water charges shall apply in the case of water supplied for non-domestic concerns also, except that in such cases all the water consumed shall be charged for at rupee one for every 1,000 gallons consumed and in addition a monthly meter rent of four annas per month.

53. All institutions of an industrial, commercial or business nature, such as Coffee clubs, restaurants, tiffin rooms, hotels, theatres, Clubs of recreation, dairy farms, nurseries, fruit or flower gardens, and all premises where the construction or alterations of buildings are going on shall be treated as non-domestic concerns for purposes of these rules.

Testing of meters.

54. The consumer or the owner disputing the accuracy of the meter may apply to the Executive Engineer or the Authorised Officer who shall on payment of a fee of rupee one per test direct the testing of the meter. If on actual test the quantity registered by the meter exceeds 5 per cent of the correct quantity, a proportionate rebate shall be allowed for the month in question and the modified bill paid for as per rules. No rebate shall be

allowed for differences of 5 per cent and below, nor the testing fees refunded.

The department reserves to itself the right to make its own tests, free of cost, at any time after giving due notice of the same to the consumer or owner.

55. If on examination, any meter is found to be out of order, the consumption during the period since the last reading till the meter is repaired or a new meter installed, shall be calculated at the average daily consumption of the last six months during which, in the opinion of the Executive Engineer, the meter was recording properly and the consumption of water was not for any reason abnormal.

Inspection of premises.

56. The Executive Engineer or the Authorised Officer may enter any house, building or land to which water is supplied to examine if there be any waste, misuse or dispute and inspect the instruments for conveying, receiving, storing, measuring and for removing the instruments belonging to the department. Any person obstructing the discharge of such duties shall be liable on conviction, to a fine not exceeding Rs. 50. But this power of entry shall be exercised only between the hours of 7-30 A.M. and 5-30 P.M. and at other times of the day with previous intimation of not less than six hours to the consumer or owner or in their absence to the members of his family.

57. The water supply cut off to any consumer or owner by the department, shall not be restored as long as the wrongful act or omission for which the supply was cut off continues.

Report of wastage of water.

58. In every case where water supplied to a premises is observed to go to waste by leakage of pipes, the consumer or the owner shall immediately telephone from the nearest Police Station or otherwise give immediate notice to the office of the Authorised Officer so as to enable him to take necessary action temporarily to arrest the wastage with the help of the departmental staff. The subsequent repairs can be effected through the licensed plumber after duly intimating to the Authorised Officer the details thereof.

59. In cases of neglect to report wastage under the above rule, the Executive Engineer or the Authorised Officer can cut off the connection without notice. In case of wilful neglect to report such wastage the owner or

consumer concerned shall be liable on conviction to pay a fine of Rs. 5 for every such neglect.

60. In such cases, if only the immediate repairs to the service connections are effected departmentally, the consumer or owner shall pay the charges thereof and until this payment is made the connection will not be restored.

Power to cut up municipal roads, drains and other structures.

61. The Executive Engineer or the Authorised Officer shall be empowered to cut open any road for the purpose of laying new or repairing the existing pipe lines, service pipes of consumers or for any purpose of distribution of water, provided that previous notice of not less than three days is given thereof to the Municipality. He shall be responsible for the bringing of the portion so cut up to the normal level and hardness. But the Municipality shall bear the responsibility of reconditioning the road, according to its original quality.

In the case of drains, structures and other property which may have to be removed, the Executive Engineer or the Authorised Officer shall be responsible for their complete restoration.

Whenever more than half the road width has to be opened out or any serious and prolonged obstruction to traffic is likely to be caused, the Executive Engineer or the Authorised Officer shall cause a week's notice to be given to the Municipality. This rule shall not apply to cases of emergency occasioned by accidents, bursts on pipe lines, fire or other causes requiring immediate action on the part of the department.

62. The Executive Engineer or the Authorised Officer shall have the power to stop or reduce the supply in any public main or sub-main for repairs or renewals without any notice on emergent occasions. But in ordinary cases when the stoppage is over an extensive area or is due to exigencies which can be foreseen, such previous notice as is possible under the circumstances shall be given by general Tom Tom or other means.

Intimation of change of ownership or tenancy of premises.

63. All changes of ownership or tenancy of a premises should be duly intimated to the Executive Engineer or the Authorised Officer in writing, failing which the new consumer or owner shall be liable to be proceeded against for recovery of all charges of arrears connected with the supply of water. No connection shall be given to the new tenant or owner until he clears such arrears.

64. Any consumer or owner may remove his pipes provided he gives at least six days' notice through a licensed plumber to the Executive Engineer or the Authorised Officer. Every such consumer shall compensate the department for any injury or damage to the departmental pipe lines. Any consumer or owner who removes such pipes without notice to the Executive Engineer or the Authorised Officer, shall be liable on conviction to a fine not exceeding Rs. 50. Removal of pipe fittings by consumer or owner.

65. Every consumer or owner who wilfully permits any other person to take a connection from his supplies or to use water from his storage cistern, except for purposes of extinguishing fire or unless he be a person whose supply is in disrepair without his being in default, shall be liable on conviction to a fine not exceeding Rs. 50. The water supply to such premises shall also be summarily cut off. Penalty for allowing others to use water unlawfully.

66. Every person found unauthorisedly taking connection for water from the departmental public line or reservoir or a public fountain line shall be liable on conviction to a fine not exceeding Rs. 100. Penalty for taking water unauthorisedly.

67. Every person who either wilfully or carelessly breaks, injures or opens any cistern lock, meter, valve, pipe, water-cock, work engine or pump belonging to the department or flushes or draws off the water from the reservoirs or other works of the department shall be liable on conviction to a fine not exceeding Rs. 100. Penalty for destroying water fittings

68. Every person who is found to bathe in any stream or reservoir or other works of the department or throw any dog or other animal therein, or any rubbish dirt or filth, or wash or cleanse any cloth, wool skin or vessels, or who causes any connection with a sink or drain or does any act whereby the water is likely to be fouled shall be liable on conviction to a fine not exceeding Rs. 10 for each such offence. Penalty for fouling water.

69. Whether for domestic or for non-domestic purposes the department is not liable, in the absence of a contract to the contrary, to any penalty or damages for not supplying water, if such non-supply arises from accidents to pipe lines, bursts, shut-down of power, unusual drought or other unavoidable causes or acts of God. Liability of the department for non-supply.

70. If any person (1) not having a supply of water for domestic purposes uses such water for other than domestic purposes or (2) having a connection for any Penalty for use of water for unauthorised purposes.

specific non-domestic purpose uses it for any other purpose, he shall for every such offence be liable on conviction to a fine not exceeding Rs. 20.

71. All pipes, taps, fittings, etc., forming part of private connections of a consumer or owner up to and inclusive of the stop cock nearest their supply main, shall in the absence of any agreement to the contrary be the property of the owner of the said premises.

72. All such materials connected with the premises, but situated beyond such stop cock, shall be the property of the department inclusive of any meters or other appliances for measuring or limiting the amount of water supplied which may be inserted by the department within or outside the premises.

73. No person shall fraudulently—

(*a*) alter the index of any water meter or prevent the meter from registering any of the quantities of water supplied;

(*b*) divert or misuse any portion of the water supplied to him, before it has been registered by the meter, set up on his premises for measuring the consumption of water.

Any person contravening this rule shall be liable on conviction to a fine not exceeding Rs. 50 for each offence and Rs. 5 for each day of breach of this Rule.

Applicability of rules to public institutions.

74. The foregoing rules apply *mutatis mutandis* to all public institutions, such as Schools, Colleges, Hostels, Hospitals, Public Offices, the supply allowed in each case free of charge being determined by the department and any excess used over and above the free supply as measured by the meters being paid for by the institutions concerned at the rates prescribed.

75. Where the institutions concerned are unable to pay the water charges under these Rules the necessary contribution may be obtained by the Department of Government concerned as laid down in G. O. No. 1453-91—9150-88 of 13th November 1912.

76. In the case of Government buildings used for Residential purposes, the excess water charges shall be recovered as under the rules applicable to the general rate-payers from the occupier direct as a liability against him. In the case of his default, the head of the department,

under whose charge the building is left, shall be responsible to pay the arrears.

77. All temples, masids, churches, cremation and burial grounds and charitable institutions such as chattrams, mutts and musafirkhanas and public halls as may be considered by the Municipality as eligible for free supply will be given water free of charge up to such limit as may be fixed in consultation with the Municipality from time to time. Free supply to religious and charitable institutions.

78. The free allowance of water in the case of jails shall be as follows :— Jails.

(1) *Convicts.*—Six and a quarter gallons per head per day.

(2) Resident members on the Jail Establishment who have no separate water connection in their residential quarters :—

Twelve and a half gallons per head per day.

The Water Supply Department shall ascertain the strength from time to time usually once a quarter and fix the free allowance accordingly.

79. In the case of Government Institutions which are not run on commercial or business or trade lines, the water rates shall be collected as per Rule No. 44. But when such institutions are in default or when the claims are disputed by them the water-supply shall not be cut off straight away but two months' time shall be given to refer the matter to the departmental head and obtain orders for recovery.

Should they continue to default even thereafter the matter may be referred to the Secretary to Government, Public Works Department and arrangements made for recovery through the Financial Branch.

80. Private individuals may be allowed to erect public street fountains for dedication to public use on the following conditions :— Erection of public fountains by private donors.

1. That their number is strictly restricted to *bona fide* public requirements of particular localities which shall be decided in consultation with the Municipality.

2. That they shall be subject to the same conditions as the other Municipal public fountains.

3. That their maintenance and repair costs shall be borne by the Municipality in the absence of any specific donor.

4. That they are not placed close to any other public fountain at a distance of not less than 600 feet.

5. That their free and unobstructed use by the public for domestic purposes be duly safe-guarded and no special privilege be claimed by the donor.

81. In the case of any public sub-main or distribution pipe line laid by any private donor as a contribution work, the donor shall not have any power or privilege over those lines. They shall be duly handed over finally to the department for operation and maintenance in the same manner as all their other pipe lines are operated and maintained.

Applicability of rules to all consumers.

82. Every consumer or owner shall be subject to the provisions in these rules for the prevention of waste, misuse, undue consumption and contamination of water.

83. Every person, who shall offend against any of the foregoing rules, shall be liable for every such offence to the penalty prescribed thereunder and in the case of the continuance of such offences he shall be further liable to a penalty of Rs. 10 per day for each offence.

Power of Government to abolish private connections.

The Government reserves to itself the power to abolish altogether the system of private connections or to stop or reduce the supply to any private connection or any public fountain without assigning any reasons therefor.

No. R. 1176—L. R. 131-32-14, dated Bangalore, 7th September 1934.

In exercise of the powers vested in them by Section 56 (i) of the Mysore Irrigation Regulation I of 1932, the Government of His Highness the Maharaja of Mysore are pleased to publish the following draft rules under the said Regulation for the information of persons likely to be affected thereby. The draft rules will be taken into consideration on or after 1st November 1934.

By Order,

S. ABDUL WAJID,

Secretary to Government, General Department.

Rules under the Mysore Irrigation Regulation.

In exercise of the powers conferred by Section 56 (i) of the Mysore Irrigation Regulation No. I of 1932, the Government of His Highness the Maharaja of Mysore are pleased to issue the following rules :—

1. In all matters wherein an enquiry is required under the Irrigation Regulation, the Deputy Commissioner or Irrigation Officer shall, except in cases otherwise provided for in the Regulation, follow the procedure prescribed for summary enquiries in the Land Revenue Code.

2. When an application is received under Section 8 of the Regulation for the construction, extension, improvement or alteration of a water course, the Irrigation Officer shall issue a notice to all persons that may be affected by such construction, extension, improvement or alteration, specifying a time within which objections must be filed. The Irrigation Officer shall enquire into the validity of the objection or objections, if any, and pass orders in consultation with the Irrigation Panchayet or Board, if one exists for the locality or irrigation work. The order under this section shall be in writing and shall set forth the grounds on which it is based.

3. (*a*) All Irrigation Officers may exercise the powers of the Deputy Commissioner under Section 13 (1) of the Regulation in respect of irrigation works within their jurisdiction.

(*b*) When the regulation of water-supply is considered necessary in respect of any irrigation work by the Deputy Commissioner of the District or the Irrigation Officer having jurisdiction over the work, he shall draw up provisional proposals and issue a notice calling for objections, if any, from raiyats holding lands under the irrigation work and from the Irrigation Panchayet or Board, within a specified date, to the proposed regulation of water, and shall pass a final order after considering the objections that may be received.

(*c*) If the officer taking action as above is himself not a Public Works Department officer, he shall invariably consult the Executive Engineer of the Division before passing final orders.

4. (*a*) Applications for supply of water from a new Irrigation work shall be in the form given in Appendix 'A.' They shall be submitted in triplicate; one copy will

be filed by the Irrigation Officer and another copy with the Irrigation Officer's order shall be returned to the party duly signed, while the third copy with the Irrigation Officer's order shall be sent forthwith to the Amildar or Deputy Amildar of the Taluk or Sub-Taluk, who shall take steps for the collection of the water rate and the contribution, if any.

(*b*) The period and terms of supply of water desired for irrigation from a new irrigation work shall be regulated by the rules issued in respect of such work, and, in the absence of such rules, by the provisions of Section 13.

The rates leviable for the supply of water for irrigation from a new irrigation work shall, unless the same are fixed by a notice published under Section 29 or by rules framed in this behalf under Section 14, Sub-Section 1, be determined in conformity with the provisions of the Land Revenue Code, 1888, and the rules thereunder.

5. *Maintenance of Irrigation Works.* – In the case of branch river channels and distributary channels from tanks which are solely intended for purposes of irrigation, the liability to perform customary labour under Section 35 (1) of the Irrigation Regulation shall be enforced only on raiyats holding wet and garden lands thereunder.

6. The quantum of labour to be contributed by the persons liable therefor shall be decided according to the assessment paid by each of them for lands, houses or other property, etc., attached to the village. The proportion of labour to be contributed by Inamdars shall also be fixed in the same manner, their lands, etc., being valued at the same rates as those paid for similar property belonging to Sirkar raiyats. For the purposes of this rule, one rupee of the dry assessment or Village Panchayet tax shall be regarded as one-third of a rupee of wet and garden assessment.

The apportionment of labour under this rule shall be made by the Patel under the instructions of the Revenue Inspector and Amildar and in case of dispute, shall be subject to appeal to higher authorities.

7. The maintenance work shall be carried out simultaneously by all the raiyats at periods to be fixed by the Amildar. Nevertheless, the Patel shall have the power to call upon the raiyats to do slight repairs in times of emergency such as rains or floods, and such requisition shall be promptly attended to.

8. In case of default by any individual in the execution of his obligations, the portion of the work that ought to have been done by the defaulter shall be carried out by paid labour, after observing the formalities prescribed in Section 37, and a sum equivalent to the cost thereof shall be recovered from the defaulter as a revenue demand.

9. In the case of a wholesale default by all the raiyats holding lands under the tank, or of cumulative neglect, the cost thereof shall be distributed amongst the persons liable for payment in the same proportion as the portion of the work they were liable to perform under Rule 6.

10. Whenever, in view of the large number of villages commanded by a tank or channel, or for any reason, the Deputy Commissioner deems it impracticable to have any or all of the items of customary work done by the raiyats, he may make a recommendation to Government with the consent of two-thirds of the number of persons bound to perform such labour, to commute it into a cash payment.

11. The rate of acreage cess to be levied shall be specified by Government while sanctioning the recommendation of the Deputy Commissioner, in consultation with the Chief Engineer, and it shall be such as will cover in the aggregate the probable annual cost of the maintenance work in lieu of which it is recovered.

Irrigation Panchayets and Boards.

12. When the constitution of an Irrigation Panchayet for a village has been decided upon, the date on which and the time and place at which election to the Panchayet shall be held, shall be fixed by the Amildar, due notice thereof being given by beat of tom-tom in the village, not less than a week before the date fixed for the election. A copy of the notice shall be hung up in the Chavadi or at any other conspicuous place in the village a week before the date of election.

13. All the raiyats who are liable to contribute customary labour under Sections 35 and 38 of the Regulation shall be entitled to vote and to be elected to the Panchayet, except those who are below 21 years of age or who may be otherwise declared as disqualified by the Deputy Commissioner.

14. The Amildar shall admit to the place specified in the notice only such persons as are entitled to vote.

He shall then and there hear and decide any objection to the admission or exclusion of a person as a voter and his decision shall be final.

15. No election shall take place unless more than half the number of persons qualified to vote are present at the meeting.

16. At the meeting, the Amildar shall first make a list of all persons who may either offer to stand for election or may be suggested for candidature, read their names and take votes by the show of hands or in any other manner that he may think fit.

17. Ordinarily, the Patel shall be the Chairman of the Panchayet, but the Deputy Commissioner may, for valid reasons, appoint any other member of the Panchayet as Chairman.

18. The constitution of an Irrigation Panchayet shall be notified in the Official Gazette.

19. The Deputy Commissioner may, if he thinks fit, remove at any time during the term of a Panchayet, any member of such Panchayet for failure to discharge his duties, or for misconduct or incapacity.

The vacancy that arises by the removal of a member as aforesaid or by death, resignation or any other cause, shall be filled up as soon as conveniently may be by the Panchayet from amongst those entitled to be elected and the person so appointed, shall hold office during the rest of the term of that Panchayet.

20. When an Irrigation Panchayet comes into existence, the enforcement of the customary obligations of the raiyats for the maintenance and upkeep of all the irrigation works in their charge shall thereafter vest in the Panchayet subject to the control of the Amildar.

21. The Panchayet shall have the power to apportion the work required for the maintenance and upkeep of the irrigation work or works under its control among the raiyats according to their respective obligations, subject to the conditions laid down in Rules 6 to 9 *supra*.

22. (1) The Panchayet shall have power to sell—

(*a*) the right of fishing in the tank or tanks under its control ;

(*b*) the right of grazing in the tank-bed and the right of cutting and removing the grass on the tank bund ; and

(*c*) the produce of the trees in the tank and on the bund, if any.

(2) The Panchayet shall also have power to grant the bed of the tanks under its control for temporary cultivation of quick growing crops on such terms as regards payment of rent or share of produce as may be deemed fit by it, provided that it shall be competent to the Deputy Commissioner to prohibit such cultivation in any tank or in any season.

23. (1) The Panchayet shall have control over a fund to be called the Irrigation Fund, made up of the following items :—

(*a*) The amounts collected from raiyats under Rule 21.

(*b*) The rent or value of the share of produce or the sale proceeds received under Rule 22.

(*c*) Such grant of Irrigation Cess Fund as the Government may from time to time make to the fund.

(*d*) Any other grant which the Government may make to the fund.

(*e*) Any advance which the Government may take to the Panchayet for the execution of masonry and stone work, and

(*f*) Any loan which the Government may make to the Panchayet for carrying out the purposes of the Regulation.

(2) The fund shall be deposited in a Government Savings Bank or with a Co-operative Society approved by the Deputy Commissioner and shall be available to the Panchayet for the maintenance and upkeep of the irrigation works under its control.

24. All moneys due to the Irrigation Fund under Rule 23, shall, in default of payment by the person from whom such moneys may be due, be recoverable by the Amildar as an arrear of land revenue.

25. (*a*) Ordinarily, the Panchayet shall meet once every two months.

(*b*) Special meetings may, on the requisition of two members, or at the discretion of the Chairman, be held as often as necessary.

(*c*) The Chairman shall give due notice of the date on which and the time and place at which the meeting shall be held to all the members of the Panchayet.

(*d*) No business shall be transacted at any meeting at which two-thirds of the members are not present.

(*e*) Every meeting shall be presided over by the Chairman and in his absence by one of the members chosen by the meeting for the occasion.

(*f*) All questions shall be decided by a majority of votes of the members present and voting, the Chairman having a casting vote in all cases of equality of votes.

(*g*) All decisions arrived at shall be recorded in a book kept for the purpose and shall be signed by the Chairman.

26. Every Panchayet shall maintain the following accounts and books :—

(*a*) Cash book
(*b*) Demand, Collection and Balance Register
(*c*) Tank Register
(*d*) Work Register
(*e*) Proceedings Book
(*f*) Ledger
(*g*) Inspection Book
(*h*) Inward and Outward Register

27. The accounts shall be systematically audited by one of the members of the Panchayet to be appointed by it as Auditor for each year. They will be open to inspection by all Revenue and Public Works Department Officers of and above the grade of Revenue Inspectors and Public Works Department Sub-Division Officers, and will be checked by the Amildar and Deputy Amildar once a quarter, a report of the result of such a check being made to the Deputy Commissioner through the Sub-Division Officer. It shall also be the duty of the Huzur Jamabandi Officer to check these accounts regularly and to certify to their accuracy.

28. Every Panchayet shall submit the following accounts and returns to the Amildar or Deputy Amildar, once a quarter not later than the 20th of October, January, April and July in each year :—

(1) Quarterly Demand, Collection and Balance Statement;

(2) Copies of Proceedings of the Panchayet; and

(3) Statement showing the progress of works undertaken by the Panchayet.

29. In the case of an Irrigation work, irrigating lands in more than one village, the Deputy Commissioner may, if he deems it expedient, constitute an Irrigation Board consisting of all the members of the constituent Panchayets or delegates therefrom, as the circumstances may require. In the latter case, the delegates shall be elected by each Panchayet from amongst its members, the number to be assigned to each Panchayet being determined by the Deputy Commissioner as nearly as may be in the proportion of the irrigable area of each village.

30. An Irrigation Board shall consist of not less than five, and not more than 15 members.

31. The Chairman of the Board shall be nominated by the Deputy Commissioner from amongst the members of the Board.

32. Rules 18 to 28 shall apply, as far as possible to Irrigation Boards also.

33. When an Irrigation Board has been duly constituted in respect of an Irrigation work, the Irrigation Panchayets of the villages irrigated by the work, shall cease to function in respect of such irrigation work.

APPENDIX A.

APPLICATION FOR WATER FOR IRRIGATION.

To

The Irrigation Officer,

District.

I, resident of Taluk, District

make this application for the supply of water under the Mysore Irrigation Regulation and Rules thereunder for the purpose of irrigating the undermentioned land, of which I am , subject to all the conditions and penalties under the abovementioned Regulation and Rules thereunder.

Name of Village	Serial No.	Total area of Serial No.		Area applied for		Kind of crop to be grown	Period for which water is required	Area allowed by the Irrigation Officer	Kind of crop allowed	Period for which water is allowed	Water-rates to be charged per acre	Contribution to be charged	Remarks
		A.	G.	A.	G.								
1	2	3		4		5	6	7	8	9	10	11	12

Date

Signature of Patel

Signature of Shanbhog.

Signature (or lefthand thumb impression) of the applicant.

N. B.—Columns 7 to 12 should be filled in by the Irrigation Officer.

No. D. 1796—I. & C. 18-34-2, dated Bangalore, 8th September 1934.

The undermentioned draft rule framed under Section 24 of the Boilers Regulation No. III of 1920, is hereby published for the information of persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after 15th October 1934, and that any objection or suggestion to the said draft rule received before the aforesaid date will be considered:

New Rule 9-A.

"In addition to the above fees prescribed in Rule 9, an Inspector's travelling expenses shall be realised from the owners or persons in charge of Boilers, whose Boilers are not kept ready for inspection on the first visit made on their application, for every additional visit paid by the Inspector for the completion of the Inspection.

By Order,

M. VENKATANARANAPPA,

Secretary to Government,

Development Department.

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PART IV

Legislative measures and Rules thereunder.

NOTIFICATIONS.

No. L 2626—*Ml.* 105-34-4, *dated Bangalore,* 5—6*th October* 1934.

The time fixed in Notification No. L. 1740—Ml. 105-34-1, dated the 8th September 1934, for the receipt of objections or suggestions in respect of the Draft Rules for the Regulation of Water Supply in Bangalore City, is hereby extended up to 15th November 1934.

By Order,
R. Ranga Rao,
Chief Secretary to Government.

No. R. 1669—*R. M.* 24-34-2, *dated, Bangalore* 3*rd*—4*th October* 1934.

In virtue of the powers vested under Section 10 of the Land Improvement Loans Regulation 1890 and Section 194 of the Land Revenue Code, the Government of His Highness the Maharaja of Mysore are pleased to issue the following amendment to the General rules framed under the said Sections and issued in Notification No. R. 4319 Agri. 91-08-4, dated 2nd January 1909 and amended from time to time.

Substitute the following for the last sentence of para III of the subsidiary instructions (regarding the mode of

ascertaining the nature of the interest possessed by the borrower in the lands as security for the loan) annexed to the General Rules.

"The search fees payable in all cases where the amount of loan does not exceed Rs. 750 shall be waived."

Para III as now amended will read as follows.

"No reference should be made to the Registration Department for encumbrance certificates in the case of loans under the Land Improvement Loans Regulation where the land to be improved is itself accepted as sufficient security, the interests of Government being safeguarded by Section 7 of the Regulation. Encumbrance certificates should be obtained when land or other immovable property is offered as collateral security under the Land Improvement Loans Regulation or as security for loans under Section 194 of the land Revenue Code. The search fees payable in all cases where the amount of loan does not exceed Rs. 750 shall be waived."

By Order,
S. ABDUL WAJID,
General Secretary to Government.

No. D. 2470—*Geol.* 52-33-3, *dated 2nd October* 1934.

In exercise of the powers conferred by Section 8 of the Mysore Petroleum Regulation, 1923 (1 of 1923), the Government of His Highness the Maharaja of Mysore are pleased to make the following amendments to the Rules relating to the regulation of the possession and transport of Petroleum :—

Amendments.

In Chapter I of Part II of the Mysore Petroleum Rules :—

For Rules 7 and 8, the following shall be substituted:—

Rule 7 :—"Not less than once in every year the connections and contacts referred to in Rule 6 shall be inspected and tested by an officer appointed in that behalf in the manner prescribed by the Chief Inspector of Mines and Explosives in Mysore and any such officer shall be permitted to enter the installation for the purpose of such test at any time after sunrise and before sunset. A certi-

ficate showing the date of the last test shall be posted in a conspicuous place within the installation."

Rule 8:—"The fee payable for tests carried out under Rule 7 shall be Rs. 10 a year for each connection but shall not exceed Rs. 50 for any number of connections relating to one receptacle. In case the test discloses an unsatisfactory connection and the need for rectification, the licensee shall nevertheless be liable to pay the prescribed fee and be likewise liable to pay a fine at the same rate for every subsequent test which may be necessary till the connections are passed by the Chief Inspector of Mines and Explosives in Mysore."

No. D. 2477—C. S. 30-33-12, dated Bangalore, 2nd October 1934.

The Government of His Highness the Maharaja of Mysore are pleased to make the following additions and amendments to the Rules issued under Section 44 of the Mysore Co-operative Regulation VII of 1918 as amended by Regulations V of 1929 and VI of 1933 :—

Substitute the following for Rule 16 :—

"16 (i) The reference to the Registrar of any dispute under Section 43-A. of the Mysore Co-operative Societies' Regulation No. VII of 1918, shall be in writing and shall be submitted in the form, if any, prescribed by the Registrar and duly stamped in accordance with the orders of Government, if any, issued in this behalf.

(ii) Where one of the parties to the dispute is a minor or a person of unsound mind, the Registrar on being satisfied of the fact of his minority or unsoundness of mind, shall appoint a proper person to be guardian for such minor or person of unsound mind, provided that the interest of such person is not adverse to that of the minor or the person of unsound mind. The Registrar may, for sufficient reasons, permit such person to retire or may remove him and appoint a new guardian in his place.

(iii) When the Registrar refers a dispute to arbitration, he may decide whether the arbitration shall be by one person or by more than one. If the arbitration is by one person, the Arbitrator shall be appointed by the

Registrar. If the arbitration is by more than one person, the Board of Arbitrators shall consist of three persons of whom one shall be appointed by the Registrar at the time of referring the dispute to the arbitration, one by the Society and one by the person or persons by or against whom the dispute is made. The nomination referred to above shall be made by the parties concerned within fifteen days after notice by the Registrar, failing which, the Registrar may himself make the nominations. The person appointed by the Registrar to the Board of Arbitrators shall be the Chairman of the Board.

(iv) In proceedings under this rule, the evidence of the parties, and witnesses who attend shall be taken down *on oath* in full, in writing, in English if the Arbitrator or the Board of Arbitrators is so authorised by the Registrar, or in Kannada and shall be signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators and upon the evidence so recorded and upon consideration of any documentary evidence produced by either side, a decision, or award as the case may be, shall be given in accordance with justice, equity and good conscience and such decision shall be reduced to writing and signed by the Registrar, Arbitrator or persons constituting the Board of Arbitrators as the case may be. If any party duly summoned to attend fails to appear, the dispute may be heard *ex-parte*. *Ex-parte* decisions or awards may, on sufficient and satisfactory cause for non-attendance being shown, be set aside by the Registrar and the dispute ordered to be disposed of on merits. But applications for setting aside the *ex-parte* decisions should be made within one month from the date of decision or award or from the date of knowledge of such decision or award having been passed. Applications for setting aside *ex-parte* decisions or awards should be disposed of on hearing or on giving reasonable opportunity for being heard to both the parties to the dispute.

(v) When any dispute referred to arbitration under (iii) above, is not decided by the Arbitrator or Board of Arbitrators within two months or such further period as the Registrar may allow, the Registrar may withdraw the reference and decide it himself or transfer it for disposal to any person empowered by Government to dispose of such references or refer it for disposal to another Arbitrator or Board of Arbitrators.

(vi) (*a*) In disputes settled by a Board of Arbitrators, the awards shall be in accordance with the decisions of the majority of the members of the Board where it is not unanimous.

(*b*) When an award has been made, the person or persons who made it should cause it to be filed in the Office of the Registrar together with any depositions and documents which have been taken and proved before them and notice of the filing shall be given to the parties.

(vii) Where the decision or award involves the payment of money or delivery of grain and such payment is not made within one week or such further time as may be allowed by the Registrar, the Registrar shall send a copy of the decision or award to the Deputy Commissioner for its enforcement who shall thereupon enforce it as if it were a demand for arrears of land revenue. Provided that the Registrar may, on the application of the decree-holder send such decree for execution to the Civil Court having jurisdiction over the subject matter of the decree or award, instead of sending it to the Deputy Commissioner as aforesaid; whereupon, such court shall execute the decision or award as if it were a decree passed by itself. Where the decision or award involves the payment of money and the person or persons against whom the decision or award is made are employed in the permanent or temporary service of the Government of His Highness the Maharaja of Mysore, or of any local authority within the Mysore State, the Registrar may send the decision or award to the Head of the Office or Department or local authority in which the person or persons are employed for enforcement and such officer shall execute it as if it were a decree of a Civil Court.

(viii) In proceedings under this Rule before the Registrar, the Arbitrator or Body of Arbitrators or other person deciding the dispute, no party to the dispute shall be represented by a Legal Practitioner.

(ix) (*a*) The appeal contemplated in Sub-Section (5) of Section 43-A of the Regulation shall be preferred in the form of a Memorandum signed by the appellant and presented to the Registrar or Government as the case may be. The Memorandum shall also be accompanied by a copy of the decision appealed from or of the award and shall be stamped according to the scale fixed by

Government for the decision of disputes under the said Section 43 A.

(*b*) The Memorandum shall set forth concisely and under distinct heads the grounds of objection to the decision appealed from without any argument or narrative and such grounds shall be numbered consecutively.

(*c*) When an appeal is filed, under the provisions of Section 43-A, Sub-section (5), the Registrar or Government may order the stay of execution of the decision appealed against on such terms as to giving security or otherwise as he or they may deem fit until the appeal is disposed of."

Add the following Rule as Rule 29 :—

"29. The person authorised by the Registrar to hold an enquiry under Section 35 (1) shall be an officer not below the rank of a Sub-Assistant Registrar of Co-operative Societies or such other person as the Registrar may appoint in writing to hold this enquiry."

Add the following as Rule 30 :—

"30(1). Every summons issued under Regulation shall be in writing, and shall be authenticated by the signature and the seal, if any, of the officer, by whom it is issued.

Mode of Service of Summons.

It shall require the person summoned to appear before the said officer at a stated time and place, and shall specify whether his attendance is required for the purpose of giving evidence, or to produce a document, or for both purposes; and any particular document, the production of which is required, shall be described in the summons with reasonable accuracy.

2. Any person may be summoned to produce a document, without being summoned to give evidence; and any person summoned merely to produce a document shall be deemed to have complied with the summons if he causes such document to be produced, instead of attending personally to produce the same.

3. The service of summons under the Regulation on any person may be effected in any of the following ways :—

(*a*) by giving or tendering it to such person ; or

(*b*) if such person is not found, by leaving it at his last-known place of abode or business or by giving or tendering it to some adult member of his family ; or

(*c*) if the address of such person is known to the Registrar or other authorised person, by sending it to him by post registered ; or

(*d*) if none of the means aforesaid is available, by affixing it in some conspicuous part of his last-known place of abode or business.

4. *Person served to sign acknowledgment.*—Where the serving officer delivers or tenders a copy of the summons to the defendant personally or to an agent or other person on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered, to an acknowledgment of service endorsed on the original summons.

5. *Endorsement of time and manner of service.*—The serving officer shall in all cases in which the summons had been served under sub-rule (4), endorse or annex, or cause to be endorsed or annexed, on or to the original summons a return stating the time when and the manner in which the summons was served and the name and address of the person (if any) identifying the person served and witnessing the delivery or tender of the summons.

6. *Service on civil public officer or on servant of railway company or local authority.*—Where the defendant or the person summoned is a public officer or is the servant of a railway company or local authority, the officer issuing the summons may, if it appears that the summons may be most conveniently so served, send it by registered post prepaid for acknowledgment for service on the defendant or the person summoned to the head of the office in which he is employed together with a copy to be retained by the defendant or such other person."

By Order,

M. VENKATANARANAPPA,
Secretary to Government,
Development Department.

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PART IV

Legislative measures and Rules thereunder.

NOTIFICATION.

No. Rl. 105—L. C., 1-34-3, Bangalore, dated 11th October 1934.

Under Standing Order No. 49 of the Standing Orders for the conduct of business of the Mysore Legislative Council, the following report of the Select Committee on the Sugar Industries Safeguarding Bill is published for general information.

By Order,
C. SUBRAHMANYA AIYAR,
Secretary,
Mysore Legislative Council.

Report of the Select Committee on the Sugar Industries Safeguarding Bill.

We, the undersigned members of the Select Committee to which the Bill to provide for the development of the sugar industry and for safeguarding the interests of sugarcane cultivators was referred, have considered the Bill at the meeting held on the 21st August 1934 and have now the honor to submit this our Report.

We have deleted the words "fostering and" from the title of the Bill as being redundant, and inserted the words "the interests of" after the word "safeguarding" so as to make the meaning clear.

In the preamble, we have inserted a comma after the word "expedient" and deleted the words "to provide."

Clause 2 (a). Instead of the definition of sugar factory proposed in the Bill we have substituted the definition of the expression "factory" as in the Sugar (Excise duty) Regulation, for the sake of uniformity.

Clause 3. In regard to the definition of the expression "sugar" a few of the members were at first of the opinion that the definition as in the Sugar (Excise Duty) Regulation may be adopted and that the percentage of sucrose content may be fixed as not less than 90 per cent. It was pointed out that the definition in the Bill, was advisedly framed in an elastic manner so as to prevent any evasion of its provisions. Sugarcane may be purchased by the manufacturers of sugar or they may purchase 'rab.' It is possible by separating the processes of manufacturing and carrying them out in different factories, the provision intended for safeguarding the interests of the sugarcane growers may be evaded. After considerable discussion it was agreed by all that it was advisable to have an elastic definition enabling the Government to apply it to circumstances as they arise, and that the clause needs no change.

Clause 4. At the end of sub-clause (1) of clause (4) we have inserted the words "in a factory" so as to make the idea clear and in sub-clause (2) substituted the words "specify" and "matters" for the words "prescribe" and "things" respectively.

Clause 5. We have added the words "in a factory" after the words "manufacturing sugar" in sub-clause (1) of clause (5) and recast sub-clause (2) as follows :—

"(2) The decision of the Government whether a license may or may not be granted shall be final."

Clause 11. In sub-clause (2) of clause 11 we have substituted the words "powers" and "may" for the words "provisions" and "shall" respectively.

We consider that the Government should fix the price or prices at which sugarcane shall be purchased by a factory on the recommendations of advisory committees and that the Government should have the power to frame rules for establishing such committees and defining their powers, etc. For this purpose, we have substituted the following for sub-clause (2) (*c*) of clause 11.

"(*c*) the establishing of advisory committees for the purpose of fixing the price or prices at which sugarcane shall be purchased by a factory and defining the powers, functions and procedure of such committees."

We are of opinion that the general power referred to under sub-clause (2) (*d*) is already provided under sub-clause (1) and have therefore deleted sub-clause (2) (*d*). It is necessary to provide the power to frame rules for prescribing records, registers, etc., to be maintained by owners of factories, and we have accordingly inserted the following as sub-clause (2) (*d*).

"(*d*) the records, registers and accounts to be maintained for ensuring compliance with the provisions of this Regulation."

We have also made a few changes of a verbal character and consider them unnecessary to be mentioned here.

We recommend that the Bill as amended by us be republished.

S. P. RAJAGOPALACHARI (*Chairman*).
N. MADHAVA RAU.
R. RANGA RAO.
A. V. RAMANATHAN.
K. T. BHASHYAM AIYANGAR.
S. C. MALLIAH.
K. CHENGALARAYA REDDY.
P. SUBBARAMA CHETTY.
(Signed subject to the note appended). *

** ** **

* Note by Mr. P. Subbarama Chetty.

Regarding the constitution of advisory committees, I think that not less than half the number should be non-official.

** *Rajasabhabhushana* K. R. Srinivasa Iyengar and Mr. M. Venkatanaranappa were unable to be present at the meeting.

[N.B.—*Portions omitted* by the Select Committee are enclosed in square brackets and portions added are printed in italics.]

Bill as amended by the Select Committee.

A BILL TO PROVIDE FOR THE [FOSTERING AND] DEVELOPMENT OF THE SUGAR INDUSTRY AND FOR SAFEGUARDING *THE INTERESTS OF* SUGARCANE CULTIVATORS IN MYSORE.

Preamble.

WHEREAS it is expedient [to provide] for the fostering and development of the sugar industry in Mysore, to take power for the purpose of controlling and regulating factories engaged in the manufacture of sugar and for the safeguarding of the interests of sugarcane growers and cultivators; It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Regulation may be called the Sugar Industries Safeguarding Regulation, 193 .

(2) It extends to the whole of Mysore.

(3) It shall come into force in such local areas and from such dates, as the Government may, by notification in the official Gazette, direct.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context,—

(*a*) ['sugar factory' means any factory as defined in the Mysore Factories Regulation, 1914, in which sugar is manufactured and wherein not less than twenty persons are simultaneously employed on any one day in the year;] *"factory" means any premises wherein or within the precincts of which, twenty or more workers are working or were working on any day of the preceding twelve months, and in any part of which any manufacturing process connected with the production of sugar is being carried on or is ordinarily carried on with the aid of power*;

(*b*) 'license' means a license granted under this Regulation and 'licensed' and 'licensee' have corresponding meanings; and

(*c*) 'prescribed' means prescribed by rules made under this Regulation.

Definition of sugar.

3. The Government may, by general or special order, declare for the purposes of this Regulation what articles

or substances containing any saccharine matter shall be deemed to be sugar.

Licensing manufacture of sugar.

4. (1) It shall be lawful for the Government to grant to any person or persons on such conditions and for such periods as may seem fit licenses for the manufacture of sugar *in a factory*.

(2) Such conditions may [prescribe] *specify* among other [things] *matters* the place where the factory is to be located, the area within which the operations of the factory should extend and the price or prices at which the factory shall purchase sugarcane.

(3) The Government shall have the power to frame rules for fixing the price or prices at which sugarcane shall be purchased by a factory.

Prohibition against the establishment and maintenance of factories without a license.

5. (1) It shall not be lawful for any person after the expiration of three months from the coming into force of this Regulation to carry on the business of manufacturing sugar *in a factory* except under the authority and subject to the terms and conditions of a license granted in accordance with the provisions of this Regulation.

(2) The decision of the Government whether [or not] a license may *or may not* be granted shall be final.

Power to require information and for inspection of documents.

6. (1) The Government may by general or special order require the applicant for a license or a licensee or any person who, being a director, partner, proprietor, manager or *any* officer of [any] a factory, is able to give any information as to the constitution, control or management of the factory or the business carried on in the factory, to furnish such information within such time as may be specified in the order.

(2) Any person authorised by the Government in this behalf may, for the purpose of verifying or obtaining information of the nature referred to in sub-section (1), inspect any books and documents belonging to or under the control of such factory, the inspection of which may be reasonably required for the said purpose.

Power to make rules requiring returns.

(3) The Government may by notification in the official Gazette, make rules requiring the owners of sugar factories in Mysore to make such returns relating to the production of sugar in their factories as the Government may consider to be desirable, prescribing the form of such returns, the dates of their submission and the authority to which they shall be submitted.

Penalties.

7. (1) Whoever contravenes the provisions of section 5 shall be punishable with fine which may extend to one thousand rupees and in the case of a continued contravention with a further fine which may extend to one hundred rupees for every day during which the contravention is continued after conviction therefor.

(2) Any person who—

(*a*) refuses or neglects to furnish any information which by an order under section 6 is required to be furnished within the time specified in such order or knowingly furnishes any such information which is false in any material particulars,

(*b*) having the custody of any book or document which a person is authorised to inspect under section 6 refuses or neglects to produce the book or document for inspection, or

(*c*) fraudulently uses or permits to be fraudulently used any license issued under this Regulation,

shall be punishable with fine which may extend to two hundred rupees.

(3) Where the person guilty of an offence under this Regulation is—

(*a*) an association or firm, every partner, member, manager or secretary and other officer thereof who is knowingly a party to the default, and

(*b*) a company, every director, manager, secretary and other officer thereof who is knowingly a party to the default,

shall also be guilty of the like offence and liable to the like punishment.

Delegation of powers.

8. Government may delegate to the District Magistrate or other officer of the Government the right to exercise any powers vested in the Government by this Regulation.

Trial of offences.

9. (1) No offence made punishable by this Regulation or by any rule made thereunder shall be tried by a court inferior to that of a Magistrate of the First Class.

(2) Prosecutions under this Regulation shall not be instituted except under the authority of a District Magistrate.

Bar of suit where acts are done in good faith.

10. No suit or other legal proceedings shall be instituted against any person in respect of anything which is in good faith done or intended to be done under this Regulation.

Power to make rules.

11. (1) The Government may make rules for the purpose of carrying into effect the provisions of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing [provisions] *powers* such rules [shall] *may* provide for—

(*a*) the levying of fees in respect of licenses granted under this Regulation,

(*b*) the conditions and limitations subject to which a license may be granted,

(*c*) [the manner of fixing the prices at which sugarcane shall be purchased by a factory], and *the establishing of advisory committees for the purpose of fixing the price or prices at which sugarcane shall be purchased by a factory and defining the powers, functions and procedure of such committees,*

(*d*) (d) any matter which under this Regulation may be prescribed] *the records, registers and accounts to be maintained for ensuring compliance with the provisions of this Regulation.*

(3) Any rule made under this Regulation may provide that any contravention thereof or any of the conditions of the license issued or renewed thereunder shall be punishable with fine which may extend to two hundred rupees.

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PART IV

Legislative measures and Rules thereunder.

ERRATUM.

No. D. 2974—*C. S.* 30-33-15, *dated Bangalore,* 24*th October—*2*nd November* 1934.

In Rule 16 (viii) of the amended Rules under the Mysore Co-operative Societies Regulation No. VII of 1918, as amended by Regulations V of 1929 and VI of 1933, published in Part IV of the *Mysore Gazette*, dated 11th October 1934, *for* the words "Body of Arbitrators" *read* "Board of Arbitrators."

By Order,

M. VENKATANARANAPPA,

Secretary to Government,

Development Department.

Printed by the Superintendent at the Government Press, Bangalore.